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REGISTER

RULES
OF GOVERNMENTAL
AGENCIES



Volume 24, Issue 11
March 10, 2000

Pages 3,726 - 3,952

Index Department
Administrative Code Div.
111 East Monroe Street
Springfield, IL 62756
(217) 782-7017
<http://www.sos.state.il.us>

Printed on recycled paper

PUBLISHED BY JESSE WHITE • SECRETARY OF STATE

ILLINOIS REGISTER

TABLE OF CONTENTS

March 10, 2000

Volume 24

Issue 11

PROPOSED RULES

HUMAN SERVICES, DEPARTMENT OF

Food Stamps

89 Ill. Adm. Code 121..... 3726

PUBLIC HEALTH, DEPARTMENT OF

Illinois Vital Records Code

77 Ill. Adm. Code 500..... 3728

Illinois Water Well and Pump Installation Contractor's License Code

77 Ill. Adm. Code 915..... 3730

ADOPTED RULES

NATURAL RESOURCES, DEPARTMENT OF

Sport Fishing Regulations for the Waters of Illinois

17 Ill. Adm. Code 810..... 3736

PUBLIC AID, DEPARTMENT OF

Child Support Enforcement

89 Ill. Adm. Code 160..... 3808

Hospital Services

89 Ill. Adm. Code 148..... 3845

REVENUE, DEPARTMENT OF

Payment of Taxes by Electronic Funds Transfer

86 Ill. Adm. Code 750..... 3867

EMERGENCY RULES

HUMAN SERVICES, DEPARTMENT OF

Food Stamps

89 Ill. Adm. Code 121..... 3871

PUBLIC HEALTH, DEPARTMENT OF

Illinois Vital Records Code

77 Ill. Adm. Code 500..... 3885

PEREMPTORY RULES

AGRICULTURE, DEPARTMENT OF
Meat and Poultry Inspection Act
8 Ill. Adm. Code 125.....

3933

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Second Notices Received

3952

Issues Index I-1

EDITOR'S NOTE: The Cumulative Index and Sections Affected Index will be printed on a quarterly basis. The printing schedule for the quarterly and annual indices are as follows:

Issue 16 - April 14, 2000: Data Through March 31, 2000

Issue 29 - July 14, 2000: Data Through June 30, 2000

Issue 42 - October 13, 2000: Data Through September 30, 2000

Issue 3 - January 19, 2001: Data Through December 31, 2000 (Annual)

INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. The Register also contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current Register volume year and a Sections Affected Index listing by Title each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume year. Both indices are action coded and are designed to aid the public in monitoring rules.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State statute; and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies; is also published in the Register.

The Register is a weekly update to the *Illinois Administrative Code* (a compilation of the rules adopted by State agencies). The most recent edition of the Code along with the Register comprise the most current accounting of State agencies' rules.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1 et seq.].

REGISTER PUBLICATION SCHEDULE 2000

Issue #	Copy Due by 4:30 p.m.	Publication Date	Issue #	Copy Due by 4:30 p.m.	Publication Date
Issue 1	December 27, 1999	January 7, 2000	Issue 28	June 26	July 7
Issue 2	January 4, 2000*	January 14	Issue 29	July 3	July 14
Issue 3	January 10	January 21	Issue 30	July 10	July 21
Issue 4	January 18*	January 28	Issue 31	July 17	July 28
Issue 5	January 24	February 4	Issue 32	July 24	August 4
Issue 6	January 31	February 14**	Issue 33	July 31	August 11
Issue 7	February 7	February 18	Issue 34	August 7	August 18
Issue 8	February 14	February 25	Issue 35	August 14	August 25
Issue 9	February 22*	March 3	Issue 36	August 21	September 1
Issue 10	February 28	March 10	Issue 37	August 28	September 8
Issue 11	March 6	March 17	Issue 38	September 5*	September 15
Issue 12	March 13	March 24	Issue 39	September 11	September 22
Issue 13	March 15	March 26	Issue 40	September 18	September 29
Issue 14	March 20	March 31	Issue 41	September 25	October 6
Issue 15	March 27	April 7	Issue 42	October 2	October 13
Issue 16	April 3	April 14	Issue 44	October 10*	October 20
Issue 17	April 10	April 21	Issue 43	October 16	October 27
Issue 18	April 17	April 28	Issue 44	October 23	November 3
Issue 19	April 24	May 5	Issue 45	October 30	November 13**
Issue 20	May 1	May 12	Issue 46	November 6	November 17
Issue 21	May 8	May 19	Issue 47	November 13	November 27 **
Issue 22	May 15	May 26	Issue 48	November 20	December 1
Issue 23	May 22	June 2	Issue 49	November 27	December 8
Issue 24	May 30*	June 9	Issue 50	December 4	December 15
Issue 25	June 5	June 16	Issue 51	December 11	December 22
Issue 26	June 12	June 23	Issue 52	December 18	December 29
Issue 27	June 19	June 30	Issue 1	December 26*	January 5, 2001

* Tuesday 12 noon deadline following a state holiday.

** Monday publication date following a state holiday.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Food Stamps

2) Code Citation: 89 Ill. Adm. Code 121

3) Section Numbers: Proposed Action:

121.90 Repeal Section

121.91 Repeal Section

121.92 Amendment

121.145 Amendment

4) Statutory Authority: Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-4.4 through 12-4.6 and 12-13].

5) A Complete Description of the Subjects and Issues Involved: The Department was granted permission by the Food and Nutrition Service to expand the use of quarterly reporting for all food stamp households with earnings or with a member who lost a job in the last three months. Including all earned income households in the quarterly reporting system will simplify procedures for staff and clients. Monthly reporting will no longer be used.

6) Will this proposed rule replace an emergency rule currently in effect?
Yes

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? No

9) Are there any other amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
121.19-184	Amendment	12029 10/08/99
121.63	Amendment	13219 11/05/99
121.60-64	Amendment	13186 10/29/99
121.18	Amendment	13970 11/29/99

10) Statement of Statewide Policy Objectives (if applicable): This rulemaking does not create or expand a State mandate.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this rulemaking within 45 days after this issue of the *Illinois Register*. All requests and comments should be submitted in writing to:

Ms. Susan Weir, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

100 South Grand Avenue East
3rd Floor Harris Bldg.
Springfield IL 62762
(217) 785-9772

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary form compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: January 2000

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Illinois Vital Records Code

2) Code Citation: 77 Ill. Adm. Code 500

3) Section Numbers: Proposed Action:

500.10 Amend
500.20 Amend
500.47 New Section
500.70 Amend

Appendix E

Amend Illustration D
Amend Illustration E
Repeal Illustration F
Amend Illustration G
Amend Illustration H
Amend Illustration I
Amend Illustration K
New Section Illustration L
New Section Illustration M
New Section Illustration N
New Section Illustration O
New Section Illustration P
New Section Illustration Q

4) Statutory Authority: Implementing and authorized by the Vital Records Act [410 ICSC 535], the Adoption Act [750 ICSC 50], and Jane Doe II v. Lumpkin, United States District Court, Central District of Illinois, Case No. 89-1224.

5) A. Complete Description of the Subjects and Issues Involved: This rulemaking is proposed to comply with Public Act 91-0417 that changed the Adoption Act [750 ICSC 50]. Provides for an Illinois Adoption Registry and Medical Information Exchange to facilitate the exchange of identifying information and medical information between birth parents, adoptive parents or legal guardians of adopted persons, adopted persons age 21 or older, and adopted persons' birth siblings who are age 21 or older. Directs the Adoption Registry Advisory Council to advise the Department of Public Health on the development of rules, procedures, and forms used by the Registry. Provides for the creation of an Adoption/Surrender Records File for each adopted or surrendered person born, adopted, or surrendered in Illinois. Implements the \$40 fee for registering with the Registry and Medical Exchange, which fee shall be waived for parties to an Adoption and birth siblings of an adopted person who complete a Medical Information Exchange Questionnaire and birth and for adoptive parents registering within 12 months of the adoption. Adds provisions concerning notice of the Registry and Medical Exchange in drivers' license renewals. Illustrates forms for the registry. Adds confidentiality provisions.

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED AMENDMENTS

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect? Yes

7) Does this Rulemaking Contain an Automatic Repeal Date? No

8) Does this Rulemaking Contain any Incorporations by Reference? No

9) Are there any Other Proposed Amendments Pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking does not include a mandate for local governmental units.

11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking: Interested persons may present their comments concerning this rulemaking by writing within 45 days after this issue of the *Illinois Register* to:

Paul Thompson, Division of Legal Services
Illinois Department of Public Health
535 West Jefferson, Fifth Floor
Springfield IL 62761
(217)782-2043
rulee@dph.state.il.us

Small businesses commenting on these rules shall indicate on their comments their status as a small business in writing. The rulemaking should not affect small businesses.

12) Initial Regulatory Flexibility Analysis:

A) Type of Small Businesses, Small Municipalities, and Not-For-Profit Corporations Affected: None

B) Reporting, Bookkeeping or Other Procedures Required for Compliance: None

C) Types of Professional Skills Necessary for Compliance: None

13) Regulatory agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: it was not available for publication during the agenda development.

The text of these proposed amendments is identical to the emergency amendments published in this issue of the *Illinois Register* on page **3887**.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Illinois Water Well and Pump Installation Contractor's License Code

- 2) Code Citation: 77 Ill. Adm. Code 915

<u>Section Numbers:</u>	<u>Proposed Action:</u>
915-60	New Section
915-70	New Section
915-80	New Section
915-90	New Section
915-100	New Section

- 4) Statutory Authority: Water Well and Pump Installation Contractor's License Act [225 ILCS 345]

- 5) A Complete Description of the Subjects and Issues Involved:

Section 915-60 - This Section specifies procedures for renewing a license that has expired.

Section 915-70 - This Section is added to require all water well and pump installation contractors who apply for license renewal under the Illinois Water Well and Pump Installation Contractor's License Code to attend once every two years a continuing education session approved by the Department.

Section 915-80 - This Section establishes requirements regarding Department approval of continuing education sessions, length of continuing education sessions and session notification to those enrolled.

Section 915-90 - This Section establishes procedure for written proof of attendance at continuing education sessions and submittal of proof of attendance to the Department.

Section 915-100 - This Section specifies that licensed plumbers who install or repair water well pumps and pumping equipment are considered to be licensed as water well pump installation contractors.

- 6) Will this rulemaking replace any emergency rulemaking currently in effect?
No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Does this rulemaking contain incorporations by reference? No

- 9) Are there any other proposed rulemakings pending on this Part? No

- 10) Statement of Statewide Policy Objectives: This rulemaking will not require additional expenditures by units of local government.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENT

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules by writing within 45 days after this issue of the *Illinois Register* to:

Paul Thompson, Division of Legal Services
Illinois Department of Public Health
535 West Jefferson, Fifth Floor
Springfield, Illinois 62761
(217) 782-2043
(e-mail: rules@idph.state.il.us)

- 12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Water well and pump installation contractors.

B) Reporting, bookkeeping or other procedures required for compliance:
None

C) Types of professional skills necessary for compliance: None

- 13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: This rulemaking was not summarized on a regulatory agenda as it was not yet available for publication.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENT

TITLE 77: PUBLIC HEALTH
CHAPTER 1: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER 1: WATER AND SEWAGE

PART 915

THE ILLINOIS WATER WELL AND PUMP INSTALLATION
CONTRACTOR'S LICENSE CODE

Section

- 915.10 Applications
- 915.20 Examination Requirements
- 915.30 Statutory Authority
- 915.40 Supervision
- 915.50 Licensed Contractor Responsibility
- 915.60 Renewal of Expired License
- 915.70 Continuing Education Requirements for Licensed Water Well Contractors and Licensed Water Well Pump Installation Contractors
- 915.80 Continuing Education Sessions
- 915.90 Record of Completion
- 915.100 Plumbers Licensed as Water Well Pump Installation Contractors

AUTHORITY: Implementing and authorized by the Water Well and Pump Installation Contractor's License Act [225 ILCS 345].

SOURCE: Emergency rules adopted at 2 Ill. Reg. 9, P. 30, effective February 22, 1978, for a maximum of 150 days; adopted at 3 Ill. Reg. 10, P. 123, effective March 5, 1979; codified at 8 Ill. Reg. 8926; amended at 17 Ill. Reg. 4425, effective March 23, 1993; amended at 22 Ill. Reg. 4111, effective February 10, 1998; amended at 24 Ill. Reg. _____, effective _____.

Section 915.60 Renewal of Expired License

- a) A license that has been expired for 3 years or less may be restored upon payment of the lapsed license fees and a reinstatement fee as specified in the Act. In addition, proof must be provided that the contractor has attended in the preceding 2 years before the date of license application a continuing education session approved under Section 915.80.
- b) A license that has been expired for more than 3 years may be reinstated if the contractor pays the lapsed fees, pays a reinstatement fee, submits an application for examination, and passes the examination for the license desired.

(Source: Added at 24 Ill. Reg. _____, effective _____)

Section 915.70 Continuing Education Requirements for Licensed Water Well

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENT

Contractors and Licensed Water Well Pump Installation Contractors

a) Frequency of Continuing Education.

- 1) Contractors licensed under the Act before January 1, 2000, who seek a renewal license shall provide proof of attendance at an approved continuing education session within the 2 years preceding any requested renewal. It is the responsibility of the licensed contractor to attend an approved continuing education session.

- 2) Contractors issued a license on or after January 1, 2000, must attend an approved continuing education session within 2 years after their licensure. When these contractors seek a renewal license, they shall provide proof of attendance at an approved continuing education session within the 2 years preceding the requested renewal. It is the responsibility of the licensed contractor to attend an approved continuing education session.
- b) Length of Continuing Education Sessions. Each continuing education session shall consist of 6 classroom contact hours and shall be approved by the Department.

(Source: Added at 24 Ill. Reg. _____, effective _____)

Section 915.80 Continuing Education Sessions

- a) Approval of continuing education sessions. Each entity that has established or proposes to present a continuing education session under the Act shall request Department approval by submitting its education program to the Department. These requests shall be submitted to the Department no later than 4 weeks before the date the program begins. A list of approved continuing education sessions shall be available from the Department. The Department shall approve those sessions that address all of the following topics:
 - 1) Water well construction and pump installation in general.
 - 2) Grouting.
 - 3) Water sample collection and sampling.
 - 4) Contamination of water supplies and grouting.
 - 5) Other relevant information necessary for the continued improvement of knowledge of a water well and pump installation contractor.
- b) When requesting approval, the entities shall submit the following information to the Department:
 - 1) Title of session.
 - 2) Type of audience (water well contractors or water well pump installation contractors).
 - 3) Location of session.
 - 4) Names and qualifications of instructors or presenters.
 - 5) Brief description of each topic and amount of time for each

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENT

- topic.
- 6) Total classroom contact hours excluding breaks (a classroom contact hour is 60 minutes).
- c) Notification. Each entity approved to conduct sessions shall be responsible for notifying licensed contractors of seminar dates and locations.

(Source: Added at 24 Ill. Reg. _____, effective _____)

Section 915.90 Record of Completion

- a) Responsibility of entity offering continuing education. Each entity approved by the Department to offer a continuing education session under this Part shall issue as proof of attendance a letter or certificate of completion to each licensed contractor attending the session. The letter or certificate shall certify that the licensed contractor has attended the required number of hours and shall include all of the following information:

- 1) Name and license number of contractor.
- 2) Name and organization conducting the session.
- 3) Date, location, and title of the session.
- 4) Number of classroom hours.

- b) Attendance notification. Each entity approved to offer continuing education under this Part shall submit to the Department a typed listing of contractors who attended the continuing education session. The information provided shall include the information in subsection (a) and shall be submitted to the Department no later than 45 days after the date of the session.

- c) Submittal of proof of attendance. It is the responsibility of each licensed contractor to submit to the Department proof of attendance at a continuing education session for the contractor's license to be renewed. The licensed contractor shall submit with the license renewal the certificate or letter provided by the instructing entity under subsection (a).

(Source: Added at 24 Ill. Reg. _____, effective _____)

Section 915.100 Plumbers Licensed as Water Well Pump Installation Contractors

- a) Licensed Plumbers. A licensed plumber who installs or repairs water well pumps and pumping equipment shall be licensed as a water well pump installation contractor.
- b) Licensed Apprentice Plumbers. An apprentice plumber licensed under the Illinois Plumbing License Law may obtain a water well pump installation contractor license provided the sponsor of the apprentice plumber is also a licensed water well pump installation contractor.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENT

- Proof of the sponsor's name and water well pump installation contractor license number shall be provided to the Department.
- c) Fees. Persons licensed under the Illinois Plumbing License Law are not required to pay an application fee or annual license fee; however, they must attend a continuing education session as described in Section 915.0. Licensed or apprentice plumbers who have not renewed their water well pump installation contractor's license must pay a reinstatement fee and meet all requirements of Section 915.70 under the Water Well and Pump Installation Contractor's License Act.

(Source: Added at 24 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES
NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Sport Fishing Regulations for the Waters of Illinois

2) Code Citation: 17 Ill. Adm. Code 810

3) Section Numbers: Adopted Action:

810.20 Amendments
810.37 Amendments
810.45 Amendments
810.70 Amendments
810.90 Amendments

4) Statutory Authority: Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code (515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5).

5) Effective Date of Amendments: February 25, 2000

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: December 10, 1999, 23 Ill. Reg. 14204

10) Has JCAR issued a Statement of Objection to these amendments? No

11) Differences between proposal and final version:

Section 810.37(a) - "county(ies)" was changed to "counties" in two places and "refer" was changed to "refers".

Section 810.37(b)(4) - the comma following "trotlines" was underscored.

Section 810.45 - Diamond Lake - "Large of Smallmouth" was changed to "Large or Smallmouth".

Section 810.45 - Elkhville City Reservoir - "Large of Smallmouth" was changed to "Large or Smallmouth".

Section 810.45 - the following site was added:

DEPARTMENT OF NATURAL RESOURCES
NOTICE OF ADOPTED AMENDMENTS

Lake Chautauqua North Pool, U.S. Fish and Wildlife Service Mason County

Largemouth Bass -15" Minimum Length Limit (12" Minimum Length Limit when the Illinois River overflows the levee system of the North Pool)

Section 810.45 - Mermet State Lake - due to a publication error, the following language was not published when the rule was proposed although it was submitted to Secretary of State for publication:

White, Black, or Hybrid - 25 Fish Daily Creel Limit
Crappie (15)

Section 810.45 - Mississippi River (between IL & MO) - commas were added following "warmouth" and "walleye".

Section 810.45 - Rend Lake Project Ponds - "See kids only fishing regulations for North Marcum Campground Pond" was put in parentheses, moved to the left margin, and placed on one line.

Section 810.90 - the Section Heading was changed from "Fishing Tournament Permits" to "Fishing Tournament Permit".

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

13) Will these amendments replace emergency amendments currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments: Amendments include changing regulations pertaining to snagging of fish; amending definitions for site-specific sportfishing regulations; amending individual site-specific fishing regulations by area; updating year 2000 dates for the "Free Fishing Days" events; and amending rules for fishing tournament permits.

16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price
Department of Natural Resources
524 S. Second Street, Room 430
Springfield IL 62701-1787
217/782-1809

The full text of the adopted amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFE

PART 810

SPORT FISHING REGULATIONS FOR THE WATERS OF ILLINOIS

Section	
810.10	Sale of Fish and Fishing Seasons
810.20	Snagging
810.30	Pole and Line Fishing Only (Repealed)
810.35	Statewide Sportfishing Regulations - Daily Catch and Size Limits
810.37	Definitions for Site Specific Sportfishing Regulations
810.40	Daily Catch and Size Limits (Repealed)
810.45	Site Specific Water Area Regulations
810.50	Bait Fishing
810.60	Bullfrogs (Repealed)
810.70	Free Fishing Days
810.80	Emergency Protective Regulations
810.90	Fishing Tournament Permit
810.100	Bed Protection

AUTHORITY: Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/4-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5].

SOURCE: Adopted at 5 Ill. Reg. 751, effective January 8, 1981; codified at 5 Ill. Reg. 106471, amended at 6 Ill. Reg. 342, effective December 23, 1981; amended at 6 Ill. Reg. 7411, effective June 11, 1982; amended at 7 Ill. Reg. 209, effective December 22, 1982; amended at 8 Ill. Reg. 1564, effective January 23, 1984; amended at 8 Ill. Reg. 16769, effective August 30, 1984; amended at 9 Ill. Reg. 2916, effective February 26, 1985; emergency amendment at 9 Ill. Reg. 3825, effective March 13, 1985, for a maximum of 150 days; emergency expired August 10, 1985; amended at 9 Ill. Reg. 6181, effective April 24, 1985; amended at 9 Ill. Reg. 14291, effective September 5, 1985; amended at 10 Ill. Reg. 4835, effective March 6, 1986; amended at 11 Ill. Reg. 4638, effective March 10, 1987; amended at 12 Ill. Reg. 5306, effective March 8, 1988; emergency amendment at 12 Ill. Reg. 6981, effective April 4, 1988, for a maximum of 150 days; emergency expired September 1, 1988; emergency amendment at 12 Ill. Reg. 10525, effective June 7, 1988, for a maximum of 150 days; emergency expired November 4, 1988; amended at 12 Ill. Reg. 15982, effective September 27, 1988; amended at 13 Ill. Reg. 8419, effective May 19, 1989; emergency amendment at 13 Ill. Reg. 12643, effective July 14, 1989, for a maximum of 150 days; emergency expired December 11, 1989; emergency amendment at 13 Ill. Reg. 14085, effective September 4, 1989, for a maximum of 150 days; emergency expired February 1, 1990; emergency amendment at 13 Ill. Reg. 15118,

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

effective September 11, 1989, for a maximum of 150 days; emergency expired February 8, 1990; amended at 14 Ill. Reg. 6164, effective April 17, 1990; emergency amendment at 14 Ill. Reg. 6865, effective April 17, 1990, for a maximum of 150 days; emergency expired September 19, 1990; amended at 14 Ill. Reg. 8588, effective May 21, 1990; amended at 14 Ill. Reg. 16863, effective October 1, 1990; amended at 15 Ill. Reg. 4699, effective March 18, 1991; emergency amendment at 15 Ill. Reg. 5430, effective March 27, 1991, for a maximum of 150 days; emergency expired August 24, 1991; amended at 15 Ill. Reg. 9977, effective June 24, 1991; amended at 15 Ill. Reg. 13347, effective September 3, 1991; amended at 16 Ill. Reg. 5267, effective March 20, 1992; emergency amendment at 16 Ill. Reg. 6016, effective March 25, 1992, for a maximum of 150 days; emergency expired August 22, 1992; amended at 16 Ill. Reg. 12526, effective July 28, 1992; amended at 17 Ill. Reg. 3853, effective March 15, 1993; emergency amendment at 17 Ill. Reg. 5915, effective March 25, 1993, for a maximum of 150 days; emergency expired August 22, 1993; amended at 17 Ill. Reg. 10806, effective July 1, 1993; amended at 18 Ill. Reg. 3277, effective February 28, 1994; emergency amendment at 18 Ill. Reg. 5667, effective March 25, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 12652, effective August 9, 1994; amended at 19 Ill. Reg. 2396, effective February 17, 1995; emergency amendment at 19 Ill. Reg. 5262, effective April 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10614, effective July 1, 1995; amended at 20 Ill. Reg. 4640, effective March 6, 1996; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 21 Ill. Reg. 9389; amended at 21 Ill. Reg. 4709, effective April 1, 1997; emergency amendment at 21 Ill. Reg. 5590, effective April 15, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 12140, effective August 26, 1997; amended at 22 Ill. Reg. 4930, effective March 2, 1998; amended at 23 Ill. Reg. 3434, effective March 8, 1999; emergency amendment at 23 Ill. Reg. 7317, effective June 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 8065, effective July 7, 1999; amended at 24 Ill. Reg. ~~8165~~ ⁸¹⁶⁶, effective ~~July 7, 1999~~ ^{August 1, 1999}.

Section 810.20 Snagging

- a) Anglers are permitted only one pole and line device to which can be attached no more than two books.
- b) Species of Fish and Snagging Catch Limit.
- 1) Only the following species of fish and catch limit may be taken by snagging:
- | | |
|-----------------------------------|--------------------------------|
| Carp - no catch limit | Buffalo - no catch limit |
| Freshwater Drum - no catch limit | Salmon (coho and chinook only) |
| 3 may be of the same fish species | Paddlefish - 2 per day |
| Bowfin - no catch limit | Gizzard shad - no catch limit |
| Carp suckers - no catch limit | |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

stream or river flows.

- b) The subsections listed below are referred to by number in Section 810.45. Each water area listed in Section 810.45 has numbers in parenthesis which explain all of the definitions in this Section which apply to that water area.

- 1) Anglers must not use more than 2 poles and each pole must not have more than 2 hooks or lures attached while fishing, except that legal size cast nets, (in accordance with subsection 810.50(a)(1)) shad scoops, and minnow seines may be used to obtain shad, minnows, and crayfish to use as bait, provided that they are not sold.
- 2) Possession of yellow perch under 8 inches in total length or over 10 inches in total length is prohibited. Only yellow perch 8 to 10 inches in total length may be harvested.
- 3) All largemouth and smallmouth bass taken must be less than 12 inches in total length or greater than 15 inches in total length.
- 4) Except that sport fishermen shall be allowed to use trotlines, jugs, and by hand, ~~and jugs~~, and except that the use and aid of underwater breathing devices is prohibited. West of Wolf Creek Road, fishing from boats is permitted all year. Trotlines/jugs must be removed from sunrise until sunset from Memorial Day through Labor Day. East of Wolf Creek Road, fishing from boats is permitted from March 15 through September 30. Fishing from the bank is permitted all year only at the Wolf Creek and Route 148 causeways. On the entire lake, jugs and trotlines must be checked daily and must be removed on the last day they are used. It is illegal to use stakes to anchor any trotlines; they must be anchored only with portable weights and must be removed on the last day they are used. The taking of carp and buffalo with bow and arrow is permissible.
- 5) Except that sport fishermen may take carp, carpsuckers, buffalo, gar, bowfin and suckers by pitchfork, gigs, bow and arrow or bow and arrow devices.
- 6) Including the Fox River south of the Illinois-Wisconsin line to the McHenry Dam.
- 7) Except that sport fishermen may take carp, buffalo, suckers and gar by bow and arrow or bow and arrow devices, gigs or spears during May and June.
- 8) Daily catch limit includes Striped Bass, White Bass, Yellow Bass and Hybrid Striped Bass either singly or in the aggregate.
- 9) Catch and Release Fishing Only means that fish (all or identified species) caught must be immediately released alive and in good condition back into the water from which it came.
- 10) It shall be illegal to process trout during the period of October 1 to 5 a.m. on the third Saturday in October (both dates inclusive) which were taken during that period.
- 11) It shall be illegal to possess trout during the period of March 15 to 5 a.m. on the 1st Saturday in April (both dates inclusive)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Longnose gar - no catch limit
Shortnose gar - no catch limit
Suckers - no catch limit

- 2) No sorting of snagged salmon and paddlefish is permitted. Every salmon 10 inches in total length or longer and paddlefish snagged must be taken into immediate possession ~~taken-by-snagging-must-be kept and included in the daily catch limit.~~ Once the daily limit of salmon or paddlefish has been reached, snagging must cease.

c) Waters Open to Snagging and Snagging Season.

- 1) Snagging for fish is permitted from September 15 through December 15 and from March 15 through May 15 within a 300 yard downstream limit below all locks and dams of the Illinois River and Mississippi River between Illinois and Missouri. Snagging is permitted year-round within a 300 yard downstream limit below locks and dams on the Mississippi River between Illinois and Iowa. ~~Snagging for fish is permitted year-round within a 300-yard downstream limit below all locks and dams of the Illinois and Mississippi Rivers.~~
- 2) Snagging for fish is permitted year-round within a 100 yard limit upstream or downstream of the dam at Horseshoe Lake in Alexander County.
- 3) Snagging for chinook and coho salmon only is permitted from the following Lake Michigan shoreline areas from October 1 through December 31; however, no snagging is allowed at any time within 200 feet of a moored watercraft or as posted:
 - A) Lincoln Park Lagoon from the Fullerton Avenue Bridge to the southern end of the Lagoon.
 - B) Waukegan Harbor (in North Harbor basin only).
 - C) Winnetka Power plant discharge area.
 - D) Jackson Harbor (Inner and Outer Harbors).
- d) Disposition of Snagged Salmon and Paddlefish. All snagged salmon and paddlefish must be removed from the area from which they are taken and disposed of properly, in accordance with Article 5, Section 5-5 of the Fish and Aquatic Life Code.

(Source: Amended at 24 Ill. Reg. 3736, effective 4/15/2000)

Section 810.37 Definitions for Site Specific Sportfishing Regulations

- a) Site Specific Regulations are listed by water area affected. The coverage of the regulation is dictated by the extent of the water area listed and not by the county. In some cases, regulations for a given water area or site may extend beyond the counties counties listed. The counties counties listed refer to the location of the dam or outfall for impoundments or mouths of small streams. Since large rivers or streams usually flow through many counties, the term "Multiple" is used rather than listing all counties where the large

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- which were taken during that period.
- 12) Daily catch limit for largemouth or smallmouth bass, singly or in the aggregate, shall not exceed 6 fish per day, no more than one of which shall be greater than 15 inches in length and none of which shall be greater than 12 inches and less than or equal to 15 inches in length.
 - 13) Except that jug fishing is permitted from the hours of sunset to sunrise, and except that carp and buffalo may be taken by bow and arrow devices from May 1 through September 30. All jugs must have owner's/user's name and complete address affixed.
 - 14) Daily catch limit includes all fish species (either singly or in the aggregate) caught within each of the following fish groupings.
 - A) Largemouth or Smallmouth Bass
 - B) Walleye, Sauger, or their hybrid
 - C) Bluegill or Redear Sunfish
 - D) Channel or Blue Catfish
 - 15) Daily catch limit includes white, black, or hybrid crappie either singly or in the aggregate.
 - 16) Daily catch limit includes Striped Bass, White Bass and Hybrid Striped Bass either singly or in the aggregate.
 - 17) Daily catch limit shall not exceed 10 fish daily, no more than 3 of which may be 17 inches or longer in length.
 - 18) Except that sport fishermen shall be allowed to use trotlines, jugs and bank poles, and carp, carpsuckers and buffalo may be taken by bow and arrow, bow and arrow devices, gigs and spears in the portions of the lake that lie north of the Davenport Bridge and northeast of the Parnell Bridge.
 - 19) No fishing within 250 yards of an occupied waterfowl blind (within the hunting area) on all Department-owned or -managed sites.
 - 20) Carlyle Lake (including its tributary streams and those portions of the Kaskaskia River and Hurricane Creek up the U.S. Army Corps of Engineers Carlyle Lake Project boundaries), U.S. Army Corps of Engineers, Bond, Clinton, and Fayette Counties.
 - 21) Lake Shelbyville (including its tributary streams and those portions of the West Okaw and Kaskaskia Rivers up to Lake Shelbyville Project boundaries), U.S. Army Corps of Engineers, Shelby and Moutrie Counties.
 - 22) Rend Lake (including its tributary streams and those portions of the Big Muddy and Casey Fork Rivers up to the Rend Lake Project boundaries), Rend Lake Project Ponds, U.S. Army Corps of Engineers, Franklin and Jefferson Counties.
 - 23) Lake Vermillion and the portion of the North Fork of the Interstate Water Company's Pump Station Spillway, Vermillion County Conservation District, Vermillion County.
 - 24) 10 Fish Daily Creel Limit of which no more than 6 may be walleye.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- 25) Daily catch limit for largemouth or smallmouth bass, singly or in the aggregate, shall not exceed 3 fish per day, no more than one of which may be equal to or greater than 15 inches in total length and no more than 2 of which may be less than 15 inches in total length.
- 26) Lake Vermillion - Trot line and jug finishing allowed north of Boiling Springs Road.
- 27) Except that bank fishing is prohibited. Boat fishing is permitted May 1 through August 31 during the hours of 2:00 p.m. to 8:00 p.m. See site for additional regulations and exact opening and closing dates.
- 28) Except that trotlines may be set within 300 feet from shore.
- 29) Except that carp, buffalo, suckers and carpsuckers may be taken by means of pitchfork and gigs (no bow and arrow devices).
- 30) Fishing is permitted from March 15 through September 30, both dates inclusive, from sunrise to sunset. Fishing during all other times of the year is illegal and not permitted.
- 31) Daily catch limit for largemouth or smallmouth bass, singly or in the aggregate, shall not exceed 3 fish daily, no more than one of which may be equal to or greater than 15 inches in total length and no more than 2 of which may be less than 12 inches in total length.
- 32) Daily catch limit includes Striped Bass, White Bass, Yellow Bass and Hybrid Striped Bass, either singly or in the aggregate, no more than 4 of which may be 15 inches or longer in length.
- 33) It shall be unlawful to enter upon a designated waterfowl hunting area during the 7 days prior to the regular duck season, or to fish on such areas during the regular duck season except in areas posted as open to fishing. It shall be unlawful to enter upon areas designated as waterfowl rest areas or refuges from 2 weeks prior to the start of the regular duck season through the end of duck and Canada goose season.
- 34) Except that sport fishermen may take carp, buffalo, suckers and gar by bow and arrow or bow and arrow devices, gigs, or spears from May 1 through August 31.
- 35) Daily catch limit for Walleye, Sauger, or Hybrid Walleye, singly or in the aggregate, shall not exceed 3 fish daily, no more than one of which may be greater than 24 inches in total length and no more than 2 of which may be less than 18 inches in total length and greater than or equal to 14 inches in total length.
- 36) Except that sport fishermen may not use a minnow seine for bait collecting in Cook County Forest Preserve District Waters (except in the Des Plaines River).
- 37) All largemouth and smallmouth bass taken must be less than 12 inches in total length or greater than 16 inches in total length. Only 1 bass greater than 16 inches and 2 bass less than 12 inches may be taken in the creel daily.
- 38) All largemouth and smallmouth bass taken must be less than 14

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

inches in total length or greater than 18 inches in total length. Only 1 bass greater than 18 inches and 5 bass less than 14 inches may be taken in the creel daily.

- 39) Powerdon Lake shall be closed to boat traffic, except for legal waterfowl hunters, from one week prior to regular waterfowl season to February 15, and closed to all unauthorized entry during the regular goose and duck season.

- 40) The 48 inch total length limit on pure muskellunge applies to that body of water listed as well any tailwaters as defined below:

Evergreen Lake (McLean County) - including the portion of Six Mile Creek below the Evergreen Lake Dam downstream to its confluence with the Wackinaw River.

Fox Chain O' Lakes (Lake/McHenry Counties) - including those portions of the Fox River below the McHenry Dam downstream to the Route 176 Bridge and upstream to the Wisconsin - Illinois State line.

Kinkaid Lake (Jackson County) - including the portion of Kinkaid Creek below the Kinkaid Lake Dam downstream to the Route 149 Bridge.

Lake Shelbyville (Moultrie/Shelby Counties) - including the portion of the Kaskaskia River below the Lake Shelbyville Dam downstream to the State Route 128 Road Bridge near Cowden.

Lake Vermilion (Vermilion County) - including the portion of the North Fork of the Vermilion River below the Lake Vermilion Dam downstream to its confluence with the Vermilion River.

Otter Lake (Macoupin County) - including the portion of Otter Creek below Otter Lake Dam downstream to its confluence with East Otter Creek.

Pierce Lake (Winnebago County) - including the portion of Willow Creek below the Pierce Lake Dam downstream to Forest Hills Road.

Shabbona Lake (DeKalb County) - including that portion of Indian Creek below the Shabbona Lake Dam downstream to Shabbona Grove Road.

Spring Lakes (North and South) (Tazewell County) - no tailwaters.

- 41) It shall be unlawful to enter upon areas designated as waterfowl hunting areas during the 7 days prior to the start of the regular duck season, or to fish on such areas during the regular duck

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

season except in areas posted as open to fishing. It shall be unlawful to enter upon areas designated as waterfowl rest areas or refuges from 10 days prior to the start of the regular duck season through the end of duck and Canada goose season.

- 42) During duck season, walk-in only access for fishing from the bank is permitted after 1:00 p.m.

(Source: Amended at 24 Ill. Reg. 3736 effective
Feb 2, 2000)

Section 810.45 Site Specific Water Area Regulations

Fishing regulations, including species of fish, fishing methods and daily catch limits are listed for each water area. The numbers in parenthesis refer to the corresponding numbered definitions in Section 810.37 of this Part. If a water area is not listed or if a specific species is not listed, then state-wide restrictions apply. Check the bulletin boards at the specific site for any emergency changes to regulations.

Allison Lake, City of - since

Bogam County

All-Fish

Channel-Catfish

--2-Pole-and-Bite-Fishing-Only-(1)

--6-Fish-Daily-Creel-Limit

Anderson Lake Fish and Wildlife Area (33)

Fulton County

Andover Lake, City of Andover

Henry County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

Apple River

Jo Davies County

Trout

- Spring Closed Season (11)

Apple River Basin - Special Management Zone (within the boundaries of Apple River Canyon State Park, including tributaries)

Jo Davies County

All Fish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)

- 14" Minimum Length Limit

Argyle Lake, Argyle Lake State Park

McDonough County

All Fish

Bluegill or Redear

Sunfish (14)

Channel Catfish

- 2 Pole and Line Fishing Only (1)

- 10 Fish Daily Creel Limit

- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

Trout
Trout

Bowen Lake, City of Washington
Tazewell County

Beaver Dam Lake, Beaver Dam State Park
Macoupin County

All Fish
Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 3 Fish Daily Creel Limit
- Fall Closed Season (10)
- 10 Fish Daily Creel Limit
- 9" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 12"-15" Protected Slot Length Limit (no possession) 14" Minimum Length Limit
- 3 Fish Daily Creel Limit

Large or Smallmouth Bass (14)

Borah Lake, City of Olney
Richland County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

All Fish
Channel Catfish

Beck Lake, Cook County Forest Preserve District
Cook County

Boston Pond, Stephen A. Forbes State Park
Marion County

- 2 Pole and Line Fishing Only (1)(36)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 18" Minimum Length Limit

- Fall Closed Season (10)
- Spring Closed Season (11)

All Fish
Channel Catfish

Large or Smallmouth Bass
Walleye, Sauger, or Hybrid
Walleye

Braidwood Lake State Fish and Wildlife Area (41)

Will County
(Braidwood Lake is closed to all fishing and boat traffic, except for legal waterfowl hunters, from 10 days prior to duck season through the day before duck season and is closed to all fishing during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck season)

- 6 Fish Daily Creel Limit
- 18" Minimum Length Limit
- 1 Fish Daily Creel Limit

- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Belk Park Pond, City of Wood River

Madison County

Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (36)
- 14" Minimum Length Limit
- Fall Closed Season (10)
- Spring Closed Season (11)

All Fish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
White, Black, or Hybrid
Crappie (15)

Bevier Lagoon, Waukegan Park District
Lake County

Breeze JC's Park Pond, City of Breeze
Clinton County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

All Fish
Channel Catfish

Bird Park Quarry, City of Kankakee
Kankakee County

Channel Catfish
Large or Smallmouth Bass
Bass (14)

- Fall Closed Season (10)
- Spring Closed Season (11)

- 3 Fish Daily Creel Limit

Buckner City Reservoir, City of Buckner
Franklin County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- All Fish
Channel Catfish
Large or Smallmouth Bass
- Bullfrog Lake, Cook County Forest Preserve District
Cook County
All Fish
- Large or Smallmouth Bass
Bluegill or Redear
Sunfish
Bluegill or Redear
Sunfish (14)
- Bunker Hill Lake, City of Bunker Hill
Macoupin County
All Fish
Channel Catfish
- Burrells Wood Park Pond
White County
Channel Catfish
- Busse Lake, Cook County Forest Preserve
Cook County
All Fish
Bluegill or Redear
Sunfish
Bluegill or Redear
Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Walleye, Sauger, or Hybrid
Walleye
- Cache River State Natural Area (19)
Pulaski/Johnson Counties
- Calhoun Point Wildlife Management Area (33)
Calhoun County
- Calumet River
Cook County
Yellow Perch
Yellow Perch
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 2 Pole and Line Fishing Only
(1)(36)
- 14" Minimum Length Limit
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 8" Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 8" Fish Daily Creel Limit
- 15" Minimum Length Limit
- 18" Minimum Length Limit
- 15 Fish Daily Creel Limit
- 8" to 10" Harvest Slot Length Limit (2) - Possession of Yellow Perch under 8" or over 10" is prohibited

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Yellow Perch
Campbell Pond Wildlife Management Area (19)
Jackson County
- Campus Lake - Southern Illinois University, State of Illinois
Jackson County
All Fish
Channel Catfish
- Campus Pond - Eastern Illinois University, State of Illinois
Coles County
All Fish
Channel Catfish
Trout
- Canton Lake, City of Canton
Fulton County
All Fish
Channel or Blue Catfish (14)
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- Carbondale City Reservoir, City of Carbondale
Jackson County
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Bass (14)
- Carlinville Lake #2, City of Carlinville
Macoupin County
All Fish
Channel Catfish
- Carlyle Lake, U.S. Army Corps of Engineers (20) (33)
Clinton/Bond/Fayette Counties
County
Large or Smallmouth Bass
White, Black, or Hybrid
Crappie (15)
White, Black, or Hybrid
Crappie
- Carthage Lake, City of Carthage
Hancock County
Channel Catfish
- Closed During June
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Fall Closed Season (10)
- Spring Closed Season (11)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 10 Fish Daily Creel Limit
- 10" Minimum Length Limit
- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Cedar Lake, U.S. Forest Service and
City of Carbondale
Jackson County (19)
All Fish

- 2 Pole and Line Fishing Only (1)
(5)
- 14"-18" Protected Slot Length
Limit (no possession)
- 2 Fish Under 14" and 2 Fish
Over 18" Daily Creel Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit

Large or Smallmouth Bass

Large or Smallmouth Bass

Striped, White, or Hybrid

Striped Bass

Striped, White, or Hybrid

Striped Bass (16)

Centralia Foundation Park Catfish Pond, Centralia Park Foundation

Marion County

All Fish

Channel Catfish

Centralia Lake, City of Centralia

Marion County

Large or Smallmouth Bass

- 15" Minimum Length Limit

Cermack Quarry, Cook County Forest Preserve District

Cook County

All Fish

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line
Fishing Only (1)(36)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Champaign Park District Lakes (Kaufman Lake, Heritage Lake, and

Mattis Lake), Champaign Park District

Champaign County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth

Bass (14)

Charleston Lower Channel Lake, City of Charleston

Coles County

All Fish

Charleston Side Channel Lake, City of Charleston

Coles County

All Fish

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)

- 17" Minimum Length Limit

- 3 Fish Daily Creel Limit

Charlie Brown Lake & Pond, City of Flora

Clay County

All Fish

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Charter Oak North - Peoria Park District Lake, Peoria Park District

Peoria County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth

Bass (14)

- 1 Fish Daily Creel Limit

Charter Oak South - Peoria Park District Pond, Peoria Park District

Peoria County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth

Bass (14)

Chauncey Marsh (19)

Lawrence County

- 1 Fish Daily Creel Limit

Chicago River (including its North Branch, South Branch, and the North Shore

Channel)

Cook County

Yellow Perch

Yellow Perch

- 15 Fish Daily Creel Limit
- 8" to 10" Harvest Slot Length
- Limit (2) - Possession of Yellow
- Perch Under 8" or over 10" is
- Prohibited
- Closed During June

Yellow Perch

Chenaca City Lake, City of Chenaca

McLean County

All Fish

- 2 Pole and Line Fishing Only (1)

Citizen's Lake, City of Monmouth

Warren County

All Fish

Bluegill or Redear Sunfish (14)

- 2 Pole and Line Fishing Only (1)
- 10 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
 Trout

Clear Lake, Kickapoo State Park
 Vermillion County
 All Fish
 Channel Catfish
 Trout
 Trout

Clinton Lake, Clinton Lake State Recreation Area (19)
 DeWitt County
 All Fish/
 Large or Smallmouth Bass
 Large or Smallmouth
 Bass (14)
 Striped, White, or Hybrid
 Striped Bass (16)

White, Black, or Hybrid
 Crappie (15)
 White, Black, or Hybrid
 Crappie

Coffee Lake, Coffee Lake State Fish and Wildlife Area
 Montgomery County
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
 White, Black, or Hybrid
 Crappie (15)
 White, Black, or Hybrid
 Crappie

Striped, White, or Hybrid
 Striped Bass
 Striped Bass (16)

Coles County Airport Lake, Coles County Airport
 Coles County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass

Coleta Trout Pond, State of Illinois
 Whiteside County

- 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - Fall Closed Season (10)

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - Fall Closed Season (10)
 - Spring Closed Season (11)

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - Fall Closed Season (10)
 - Spring Closed Season (11)

- 2 Pole and Line Fishing Only (1)
 Only (1)(18)
 - 16" Minimum Length Limit

- 3 Fish Daily Creel Limit
 - 10 Creel/3 Fish 17" or Longer Daily (17)

- 15 Fish Daily Creel Limit
 - 9" Minimum Length Limit

- 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit

- 10 Fish Daily Creel Limit
 - 9" Minimum Length Limit

- 17" Minimum Length Limit
 - 3 Fish Daily Creel Limit

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Trout
 Trout

Columbus Park Lagoon, Chicago Park District
 Cook County
 All Fish
 Channel Catfish

Cook Co. F.P.D. Lakes, Cook County Forest Preserve District
 Cook County
 All Fish
 Large or Smallmouth Bass

Coulterville City Lake, City of Coulterville
 Randolph County
 All Fish
 Channel Catfish

Crab Orchard National Wildlife Refuge
 Williamson County
 All Fish
 Striped, White, or Hybrid
 Striped Bass (16)

Large or Smallmouth Bass

Crab Orchard National Wildlife Refuge - Devil's Kitchen Lake, U.S. Fish and Wildlife Service (19)
 Williamson County
 All Fish

Crab Orchard National Wildlife Refuge - Little Grassy Lake, U.S. Fish and Wildlife Service (19)
 Williamson County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass

Crab Orchard National Wildlife Refuge. Refuge Ponds (except Visitor Pond), U.S. Fish and Wildlife Service
 Williamson County
 All Fish
 Large or Smallmouth Bass

Crab Orchard National Wildlife Refuge. Visitor Pond, U.S. Fish and Wildlife Service
 Williamson County

- Fall Closed Season (10)
 - Spring Closed Season (11)

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

- 2 Pole and Line Fishing Only (1)
 - 14" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

- 2 Pole and Line Fishing Only (1)(4)
 - 10 Creel/3 Fish 17" or Longer Daily (17)
 - 15" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 12-15" Slot Length Limit (3)

- 2 Pole and Line Fishing Only (1)
 - 15" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- All Fish (30)
- 2 Pole and Line Fishing Only (1)
 - 21" Minimum Length Limit
- Large or Smallmouth Bass
- Crawford Co. Cons. Area - Picnic Pond, Crawford County Conservation Area
- Crawford County
- All Fish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - Fall Closed Season (10)
- Channel Catfish
- Large or Smallmouth Bass
- Trout
- Crawford Co. Cons. Area Ponds, Crawford County Conservation Area
- Crawford County
- All Fish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Channel Catfish
- Large or Smallmouth Bass
- Crull Impoundment Wildlife Management Area (33)
- Jersey County
- Crystal Lake, Urbana Park District
- Champaign County
- All Fish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- Channel Catfish
- Dawson Lake & Park Ponds, Moraine View State Park
- McLean County
- All Fish
- 2 Pole and Line Fishing Only (1)
 - 25 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Channel Catfish
- Large or Smallmouth Bass
- Walleye, Sauger, or Hybrid
- Walleye (14)
- White, Black or Hybrid Crappie
- White, Black or Hybrid
- Crappie (15)
- 15 Fish Daily Creel Limit
- Decatur Park Dist. Ponds, City of Decatur
- Macon County
- All Fish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- Channel Catfish
- Deep Pit Lake, Boone County Conservation District
- Boone County
- All Fish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Bass (14)
- 1 Fish Daily Creel Limit
- Defiance Lake, Moraine Hills State Park
- McHenry County
- All Fish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 3 Fish Daily Creel Limit
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- Des Plaines River Basin - Special Management Zone (Hoffman Dam to 47th Street Bridge, including tributaries)
- Cook County
- Channel Catfish
- 15" Minimum Length Limit
 - 6 Fish Daily Creel Limit
 - Catch and Release Only - No Harvest Permitted (9)
 - 30" Minimum Length Limit
 - 1 Fish Daily Creel Limit
- Northern Pike
- Northern Pike
- White, Black or Hybrid
- Crappie (15)
- Walleye, Sauger, or Hybrid Walleye
- Walleye, Sauger, or Hybrid Walleye (14)
- 10 Fish Daily Creel Limit
 - 18" Minimum Length Limit
 - 1 Fish Daily Creel Limit
- Des Plaines River Conservation Area (19)
- Will County
- Diamond Lake, City of Mundelein
- Lake County
- All Fish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- Dog Island Wildlife Management Area (19)
- Pope County
- Dolan Lake, Hamilton County
- Conservation Area
- Hamilton County
- All Fish
- 2 Pole and Line Fishing Only (1)
 - 8" Minimum Length Limit
 - 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
- Bluegill or Redear
- Bluegill or Redear
- Sunfish
- Channel Catfish
- Large or Smallmouth Bass

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Donnelley State Wildlife Area (33)
Bureau County

Douglas Park Lagoon, Chicago Park District

Cook County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

DuPage County Forest Preserve District Lakes and Ponds, DuPage County Forest Preserve District

DuPage County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit

DuPage River - West Branch (between the dams located in the McDowell Grove Forest Preserve and the Warrenville Grove Forest Preserve)

DuPage County

Large or Smallmouth Bass

- Catch and Release Fishing Only (9)

East Fork Lake, City of Olney

Richland County

All Fish

Channel Catfish

Large or Smallmouth Bass

White, Black, or Hybrid

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 25 Fish Daily Creel Limit

Eldon Hazlet State Park (19) (See Also Carlyle Lake)

Clinton County

Elkville City Reservoir, City of Elkville

Jackson County

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Elliott Lake, Wheaton Park District

DuPage County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Evergreen Lake, City of Bloomington

McLean County

All Fish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Pure Muskellunge

White, Black, or Hybrid

Crappie (15)

- 48" Minimum Length Limit (40)
- 25 Fish Daily Creel Limit

Faries Park Pond, City of Decatur

Macon County

Trout

- Fall Closed Season (10)

Ferne Clyffe Lake, Ferne Clyffe State Park

Johnson County

All Fish

Channel Catfish

Trout

Trout

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Fall Closed Season (10)
- Spring Closed Season (11)

Flatfoot Lake, Cook County Forest Preserve District

Cook County

All Fish

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)(36)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Foli Park Pond, Village of Plano

Kendall County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Forbes State Lake, Stephen A. Forbes State Park

Marion County

All Fish

Bluegill or Redear

Sunfish

Bluegill or Redear

Sunfish (14)

Channel Catfish

Large or Smallmouth Bass

Striped, White, or Hybrid

Striped Bass

Striped, White, or Hybrid

Striped Bass (16)

- 2 Pole and Line Fishing Only (1)(5)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit

Forbes State Park Ponds, Stephen A. Forbes State Park

Marion County

All Fish

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)(5)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Forest Park Lagoon, City of Shelbyville

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Shelby County
All Fish
Channel Catfish
Trout
Trout
- Fort de Chartres Historic Site (19)
Randolph County
- Four Lakes, Winnebago County Forest Preserve
Winnebago County
- All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Fall Closed Season (10)
- Spring Closed Season (11)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Fox Chain O'Lakes (including the Fox River south of the Wisconsin-Illinois boundary to the McHenry Dam) (6) (Applies to Grass Lake and Nippersink Lake State Managed Blind Areas Only (19)), State of Illinois
Lake and McHenry Counties
Large or Smallmouth Bass
Pure Muskellunge
Walleye, Sauger, or Hybrid
Walleye
- 14" Minimum Length Limit (6)
- 48" Minimum Length Limit (40)
- 14" Minimum Length Limit
with an 18-24" Protected Slot Length Limit (no possession) (6)
- 2 Fish >or=14" and <18" &/or 1 Fish >24" Daily Creel Limit (35)
- Walleye, Sauger, or Hybrid
Walleye (14)
- Fox Ridge State Park (see also Wilderness Pond and Ridge Lake) (19)
Coles County
- Fox River Basin - Special Management Zone (North Aurora Dam to Montgomery Dam, including tributaries)
Kane County
Large or Smallmouth Bass
- 14" Minimum Length Limit
- Fox River Basin - Special Management Zone (South Elgin Dam to North Aurora Dam, including tributaries)
Kane County
Large or Smallmouth Bass
- Catch and Release Only - No Harvest Permitted (9)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Frank Holten Lakes, Frank Holten State Park
St. Clair County
- All Fish
Channel Catfish
Large or Smallmouth Bass
Trout
Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Fall Closed Season (10)
- Spring Closed Season (11)
- Franklin Creek (within the boundaries of Franklin Creek State Natural Area)
Lee County
- All Fish
- Fuller Lake (19)
Calhoun County
- Fulton County Camping and Recreation Area Waters, Fulton County Board
Fulton County
- All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Blue gill or Redear
Sunfish (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 12"-15" Protected Slot Length Limit (no possession)
- 3 Fish Daily Creel Limit
- 25 Fish Daily Creel Limit
- Gages Lake, Wildwood Park District
Lake County
- All Fish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Walleye, Sauger, or Hybrid Walleye
- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 16" Minimum Length Limit
- Gate-Baker-Village-of-East-Galesburg
Knox County
- All Fish
Bluegill-or-Redear-Sunfish-(14)
Channel-Catfish
Large-or-Smallmouth-Bass
Large-or-Smallmouth-Bass-(14)
- 2-Pole-and-Line-Fishing-Only-(1)
-10-Fish-Daily-Creel-Limit
-6-Fish-Daily-Creel-Limit
-15-Minimum-Length-Limit
-3-Fish-Daily-Creel-Limit
- Garfield Park Lagoon, Chicago Park District
Cook County
- All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Gebhard Woods Ponds, Gebhard Woods State Park
Grundy County
All Fish
Channel Catfish
Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Spring Closed Season (11)
- Giant City Park Ponds, Giant City State Park
Jackson and Union Counties
Largemouth and Spotted Bass
- 15" Minimum Length Limit
- Gillespie New City Lake, City of Gillespie
Macoupin County
Channel Catfish
Large or Smallmouth Bass (14)
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit
- 3 Fish Daily Creel Limit
- Gillespie Old City Lake, City of Gillespie
Macoupin County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Glades - 12 Mile Island Wildlife Management Area (33)
Jersey County
- Gladstone Lake, Henderson County Conservation Area
Henderson County
All Fish
Bluegill or Redear Sunfish (14)
Channel or Blue Catfish (14)
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- 3 Fish Daily Creel Limit
- Glen Oak Park Lagoon, Peoria Park District
Peoria County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Glen Shoals Lake, City of Hillsboro
Montgomery County
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Godar-Diamond/Hurricane Island Wildlife Management Area (33)
Calhoun County
Gompers Park Lagoon, Chicago Park District
Cook County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Gordon F. Wore Park Lake, City of Alton
Madison County
All Fish
Bluegill or Redear
Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth
Bass (14)
- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Limit
- Governor Bond Lake, City of Greenville
Bond County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
White, Black, or Hybrid
Crappie (15)
- 2 Pole and Line Fishing
Only (1) (5)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 25 Fish Daily Creel Limit
- Grayslake Park District (Grayslake and Park Ponds)
Lake County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth
Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Greenfield City Lake, City of Greenfield
Greene County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 12-15" Protected Slot Length
Limit (no possession)
- 5 Fish Under 12" and 1 Fish Over
15" Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Greenville Old City Lake, City of Greenville

Bond County
 All Fish
 Channel Catfish
 Trout
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - Fall Closed Season (10)
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit

Harrisburg New City Reservoir, City of Harrisburg

Saline County
 All Fish
 Channel Catfish
 Striped, White, or
 Hybrid Striped Bass
 Striped, White or
 Hybrid Striped Bass (16)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 17" Minimum Length Limit
 - 3 Fish Daily Creel Limit

Harrisburg Holding Pits North and South, City of Harrisburg

Saline County
 All Fish
 Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Heidecke Lake, Heidecke Lake State Fish and Wildlife Area

Grundy County (41)
 Heidecke Lake shall be closed to all fishing and boat traffic except for legal waterfowl hunters from 10 days prior to duck season through the day before duck season and is closed to all fishing during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck season)
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
 Striped, White, or Hybrid
 Striped Bass (16)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 10 Creel/3 Fish 17" or Longer
 Daily (17)

Walleye, Sauger, or Hybrid

Walleye
 Walleye, Sauger, or Hybrid
 Walleye (14)
 - 22" Minimum Length Limit
 - 3 Fish Daily Creel Limit

Helmhold Slough (19)
 Calhoun County

Hennepin Canal-Mainline & Feeder, Hennepin Canal Parkway State Park
 Multiple Counties
 All Fish
 - 2 Pole and Line Fishing
 Only (1)(13)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth Bass
 Trout
 Trout
 - 14" Minimum Length Limit
 - Fall Closed Season (10)
 - Spring Closed Season (11)

Hidden Springs State Forest Ponds, Hidden Springs State Forest

Shelby County
 All Fish
 Bluegill or Redear
 Sunfish (14)
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
 - 2 Pole and Line Fishing Only (1)
 - 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 18" Minimum Length Limit
 - 1 Fish Daily Creel Limit

Highland Old City Lake, City of Highland

Madison County
 All Fish
 Channel Catfish
 Trout
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - Fall Closed Season (10)

Hillsboro Old City Lake, City of Hillsboro

Montgomery County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 12-15" Slot Length Limit (3)

Homer Lake, Champaign County Forest Preserve District

Champaign County
 All Fish
 Bluegill or Redear
 Sunfish
 - 2 Pole and Line Fishing Only (1)
 - 8" Minimum Length Limit

Bluegill or Redear
 Sunfish (14)
 Channel Catfish
 Large or Smallmouth Bass
 - 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit

Hornel Pond, Donnelly State Fish and Wildlife Area

Bureau County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 - 2 Pole and Line Fishing
 Only (1)(5)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit

Horseshoe Lake-Alexander Co., Horseshoe Lake Conservation Area

Alexander County
 (Only trolling motors in refuge from October 5-March 1)
 All Fish
 Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 (5)
 - 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Trout
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Spring Closed Season (11)

Johnson Sauk Trail Lake & Pond, Johnson Sauk Trail State Park

Henry County

All Fish

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Jones Park Lake, City of East St. Louis
St. Clair County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Channel Catfish

- Fall Closed Season (10)
- Spring Closed Season (11)

Trout

Trout

Tones State Lake, Saline County Conservation Area

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14"-18" Protected Slot Length Limit (no possession) (38)
- 5 Fish under 14" and 1 Fish over 18" Daily Creel Limit

Jones Lake Trout Pond, Saline County Conservation Area

Trout

Jubilee College State Park Ponds,
Jubilee College State Park
Peoria County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Kankakee River Basin - Special Management Zone (Wilmington Dam to the Mouth of the Kankakee River, including tributaries)
Will/Grundy Counties

- 12" - 16" Protected Slot Length
Limit (no possession) (37)

- 1 Fish over 16" and 2 Fish under 12" Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Kankakee River Basin - Special Management Zone (Kankakee Dam to the Wilmington Dam, including tributaries)
- Kankakee/Will Counties
 - Large or Smallmouth Bass
 - Large or Smallmouth Bass
 - 14" Minimum Length Limit
 - Catch and Release Only Season in tributaries - No Harvest May 1 through June 15 (9)

Kankakee River State Park (19)
Kankakee/Will Counties

Kaskaskia River Fish and Wildlife Area (19)
St. Clair/Randolph/Monroe Counties

Kaskaskia River Fish and Wildlife Area - Doza Creek Wildlife Management Area
(33)
St. Clair County

Kendall Co. Lake #1, Kendall County Forest Preserve District

Kendall County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Kent Creek

Winnebago County

- Spring Closed Season (11)
Trout

Kickapoo State Park Lakes & Ponds, Kickapoo State Park

Vermilion County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large of Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

Kincaid City Reservoir, City of Kincaid

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 Channel Catfish
 Large or Smallmouth Bass
 All Fish
 Christian County

Kincaid Lake, Kincaid Lake State Fish and Wildlife Area (19)

Jackson County
 Large or Smallmouth Bass
 Large or Smallmouth
 Bass (14)
 - 3 Fish Daily Creel Limit
 - 16" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Pure Muskellunge
- 48" Minimum Length Limit (40)
- Kinmundy Reservoir, City of Kinmundy
Marion County
- 2 Pole and Line Fishing Only (1)(5)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 1 Fish Daily Creel Limit
- Channel Catfish
Large or Smallmouth Bass (14)
- Lake Atwood, McHenry County Conservation District
McHenry County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - Spring Closed Season (11)
- Channel Catfish
Trout
- Lake Bloomington, City of Bloomington
McLean County
- 2 Pole and Line Fishing Only (1)
 - 8" Minimum Length Limit
 - 10 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 17" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 25 Fish Daily Creel Limit
- Bluegill or Redear
Sunfish
Bluegill or Redear
Sunfish (14)
Large or Smallmouth Bass
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
White, Black, or Hybrid
Crappie (15)
- Lake Carlton, Morrison-Rockwood State Park
Whiteside County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 1 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 36" Minimum Length Limit
 - 25 Fish Daily Creel Limit
- Channel Catfish
Large or Smallmouth Bass (14)
Large or Smallmouth Bass
Pure Muskellunge
White, Black, or Hybrid
Crappie (15)
- Lake Chautauqua North Pool, U.S. Fish and Wildlife Service
Mason County
- 15" Minimum Length Limit (12"
Minimum Length Limit when
the Illinois River overflows the
levee system of the North Pool)
- Largemouth Bass

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Lake Co. Forest Preserve District Lakes, Lake County Forest Preserve District
Lake County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 1 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Channel Catfish
Large or Smallmouth Bass
- Lake Decatur, City of Decatur
Macon County
- 2 Pole and Line Fishing Only (1)
 - 14" Minimum Length Limit
- All Fish
Large or Smallmouth Bass
- Lake Dupue Fish and Wildlife Area (33)
Bureau County
- Lake Eureka, City of Eureka
Woodford County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 1 Fish Daily Creel Limit
- All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- Lake George, Loud Thunder Forest Preserve
Rock Island County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 36" Minimum Length Limit
 - 17" Minimum Length Limit
- All Fish
Channel Catfish
Large or Smallmouth Bass
Pure Muskellunge
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
White, Black, or Hybrid
Crappie (15)
- Lake Jacksonville, City of Jacksonville
Morgan County
- 2 Pole and Line Fishing Only (1)
 - 8" Minimum Length Limit
 - 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 17" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 25 Fish Daily Creel Limit
- All Fish
Bluegill or Redear Sunfish
Bluegill or Redear Sunfish
Channel Catfish
Large or Smallmouth Bass
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
White, Black, or Hybrid
Crappie

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- White, Black, or Hybrid
Crappie
- 9" Minimum Length Limit
- Lake Kakusha, City of Mendota
LaSalle County
All Fish
Bluegill or Redear
- 2 Pole and Line Fishing Only (1)
- Sunfish
- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)
Channel Catfish
- 10 Fish Daily Creel Limit
Large or Smallmouth Bass
- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)
White, Black, or Hybrid
Crappie (15)
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 10 Fish Daily Creel Limit
- Lake Le-Aqua-Na, Lake Le-Aqua-Na State Park
Stephenson County
All Fish
Channel Catfish
Large or Smallmouth Bass (14)
Large or Smallmouth Bass
White, Black, or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 10 Fish Daily Creel Limit
- Lake Mendota, City of Mendota
LaSalle County
All Fish
Channel Catfish
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 1 Fish $\geq 15" \frac{4}{5}$ or 2 < 12" Daily (31)
- Lake Michigan (Illinois Portion), State of Illinois
Lake/Cook Counties
Trout and Salmon
- 10" Minimum Length Limit
- no more than 5 fish of any one species daily, except for Lake Trout
Lake Trout
- 2 Fish Daily Creel Limit
Yellow Perch
- 15 Fish Daily Creel Limit
- 8" to 10" Harvest Slot Length Limit (2) - Possession of Yellow Perch Under 8" or over 10" is prohibited; Taking of yellow perch from charter boats is prohibited
- Closed During June
- Catch and Release Fishing Only (no possession) (9)
- Yellow Perch
Large or Smallmouth Bass (14)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Lake Milliken, Des Plaines Conservation Area
Will County
All Fish
Channel Catfish
Large or Smallmouth Bass
Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Spring Closed Season (11)
- Lake Mingo & Kennekuk Cove Park Ponds, Vermillion County Conservation Area
Vermillion County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Lake Murphysboro, Lake Murphysboro State Park
Jackson County
All Fish
Channel Catfish
Large or Smallmouth Bass (14)
- 3 Fish Daily Creel Limit
- Lake Nellie, City of St. Elmo
Payette County
All Fish
Channel Catfish
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)(5)
- 6 Fish Daily Creel Limit
- 3 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Lake of the Woods & Elk's Pond, Champaign County Forest Preserve District
Champaign County
All Fish
Bluegill or Redear
Sunfish
Bluegill or Redear
Sunfish (14)
Channel Catfish
Large or Smallmouth Bass (14)
Trout
- 2 Pole and Line Fishing Only (1)
- Lake Olson, Rock Cut State Park
Winnebago County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Spring Closed Season (11)
- Lake Owen, Hazel Crest Park District

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Cook County	- 2 Pole and Line Fishing Only (1)
All Fish	- 6 Fish Daily Creel Limit
Channel Catfish	
Lake Paradise, City of Mattoon	
Coles County	- 2 Pole and Line Fishing Only (1)
All Fish	- 14" Minimum Length Limit
Large or Smallmouth Bass	
Lake Paradise Shadow Ponds, City of Mattoon	
Coles County	- 2 Pole and Line Fishing Only (1)
All Fish	- 14" Minimum Length Limit
Large or Smallmouth Bass	
Channel Catfish	
Lake Sara, City of Effingham	
Effingham County	- 14" Minimum Length Limit
Large or Smallmouth Bass	
White, Black, or Hybrid	
Crappie (15)	- 25 Fish Daily Creel Limit
Lake Shelbyville (21), U.S. Army Corps of Engineers	
Moultrie/Shelby Counties	
(During the regular waterfowl season, no bank or boat fishing shall be permitted on the Kaskaskia River from the Strickland Boat Access north to the Illinois Central Railroad Bridge from one-half hour before sunrise to 1 p.m.)	
Large or Smallmouth Bass	- 14" Minimum Length Limit
Pure Muskellunge	- 48" Minimum Length Limit (40)
White, Black, or Hybrid	
Crappie (15)	- 10 Fish Daily Creel Limit
White, Black, or Hybrid	- 10" Minimum Length Limit
Crappie	
Lake Shelbyville - Project Ponds & Woods Lake, Lake Shelbyville State Fish and Wildlife Area (33)	
Moultrie/Shelby Counties	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
White, Black, or Hybrid	
Crappie	- 10" Minimum Length Limit
White, Black, or Hybrid	- 10 Fish Daily Creel Limit
Crappie (15)	
Lake Simissippi (19)	
Whiteside County	
Lake Springfield, City of Springfield	

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Sangamon County	- 2 Pole and Line Fishing Only (1)
All Fish	- 15" Minimum Length Limit
Large or Smallmouth Bass	
White, Black, or Hybrid	
Crappie (15)	- 25 Fish Daily Creel Limit
White, Black, or Hybrid	- 9" Minimum Length Limit
Crappie	
Lake Storey, City of Galesburg	
Knox County	- 2 Pole and Line Fishing Only (1)
All Fish	- 25 Fish Daily Creel Limit
Bluegill or Redear Sunfish (14)	- 6 Fish Daily Creel Limit
Channel or Blue Catfish (14)	- 12-15" Slot Length Limit (3)
Large or Smallmouth Bass	
Walleye, Sauger, or Hybrid	
Walleye (14)	- 3 Fish Daily Creel Limit
Lake Strini, Village of Romeoville	
Will County	- 2 Pole and Line Fishing Only (1)
All Fish	- 6 Fish Daily Creel Limit
Channel Catfish	
Lake Sule, Flagg-Rochelle Park District	
Ogle County	- 2 Pole and Line Fishing Only (1)
All Fish	- 5 Fish Daily Creel Limit
Bluegill or Redear	- 6 Fish Daily Creel Limit
Sunfish (14)	- 14" Minimum Length Limit
Channel Catfish	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 36" Minimum Length Limit
Pure Muskellunge	- 10 Fish Daily Creel Limit
White, Black or Hybrid	
Crappie (15)	
Lake Taylorville, City of Taylorville	
Christian County	- 15" Minimum Length Limit
Large or Smallmouth Bass	
White, Black, or Hybrid	- 9" Minimum Length Limit
Crappie	- 25 Fish Daily Creel Limit
White, Black, or Hybrid	
Crappie (15)	
Lake Vandalia, City of Vandalia	
Fayette County	- 2 Pole and Line Fishing Only (1)
All Fish	- 6 Fish Daily Creel Limit
Channel Catfish	- 14" Minimum Length Limit
Large or Smallmouth Bass	
Striped, White, or Hybrid	

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Lake Vermilion, Vermilion County Conservation District
Vermilion County
- All Fish
Large or Smallmouth Bass
Pure Muskellunge
White, Black, or Hybrid
Crappie
White, Black, or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (26)
- 15" Minimum Length Limit (23)
- 48" Minimum Length Limit (40)
- 9" Minimum Length Limit
- 25 Fish Daily Creel Limit
- Lake Victoria, City of South Beloit
Winnebago County
- All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth
Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Lake Williamsville, City of Williamsville
Sangamon County
- All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- LaSalle Lake, LaSalle Power Station
LaSalle County
- All Fish
Large or Smallmouth Bass (14)
Large or Smallmouth Bass
Striped, White, or Hybrid
Striped Bass (16)
- 2 Pole and Line Fishing Only (1)
- 1 Fish Daily Creel Limit
- 18" Minimum Length Limit
- 10 Creel/3 Fish 17" or Longer
Daily (17)
- Levings Lake, Rockford Park District
Winnebago County
- All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth
Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Lincoln Log Cabin Pond, Lincoln Log Cabin Historical Site
Coles County
- All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Large or Smallmouth Bass
Large or Smallmouth
Bass (14)
- 15" Minimum Length Limit
1 Fish Daily Creel Limit
- Lincoln Park North Lagoon, Chicago Park District
Cook County
- All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Lincoln Park South Lagoon, Chicago Park District
Cook County
- All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Lincoln Trail Lake, Lincoln Trail State Park
Clark County
- All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- Little Black Slough, Little Black Slough State Natural Area
Johnson County
- All Fish
All Fish
- 2 Pole and Line Fishing Only (1)
- No Seines
- Little Sister Lake, County of Fulton
Fulton County
- All Fish
Bluegill or Redear
Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth
Bass (14)
- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- 3 Fish Daily Creel Limit
- Little Vermilion River Basin - Special Management Zone (river mainstem and tributaries)
LaSalle County
- Large or Smallmouth Bass
- Catch and Release Only Season
No Harvest May 1 through
June 15 (9)
- Lou Yeager Lake, City of Litchfield
Montgomery County
- Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 15" minimum Length Limit
- 3 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Loami Reservoir, City of Loami
Sangamon County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Lower Cache River, Lower Cache River State Natural Area
Putlask/Johnson Counties
All Fish
All Fish /
- 2 Pole and Line Fishing Only (1)
- No Selnes

Lyerla Lake, Union County Conservation Area
Union County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Mackinaw Ponds 1, 2, and 3, Mackinaw State Fish and Wildlife Area
Tazewell County
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Macon County Conservation District
Ponds, Macon County Conservation District
Macon County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Maple Lake, Cook County Forest Preserve District
Cook County
All Fish
- 2 Pole and Line Fishing Only (1)(36)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Marissa City Lake, City of Marissa
St. Clair County
Channel Catfish
- 6 Fish Daily Creel Limit

Marquette Park Lagoon, Chicago Park District
Cook County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Marshall County Conservation Area (Fishing Ditch), Marshall County
Marshall County
All Fish
- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Marshall County Conservation Area - Sparland Unit (19)
Marshall County
Mascoutah Reservoir, City of Mascoutah
St. Clair County
All Fish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Massac County Fairgrounds Pond, State of Illinois
Massac County
Trout
Trout
- Fall Closed Season (10)
- Spring Closed Season (11)

Matthiessen Lake, Matthiessen State Park
LaSalle County
All Fish
Bluegill or Redear
Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Mattoon Lake, City of Mattoon
Coles County
All Fish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 14" Minimum Length Limit

Mautino Fish and Wildlife Area, Mautino Fish and Wildlife Area
Bureau County
All Fish
- 2 Pole and Line Fishing Only (1)(34)
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

Mauvaise Terre/Morgan Lake, City of Jacksonville
Morgan County
Large or Smallmouth Bass
- 15" Minimum Length Limit

Mazonia Lakes & Ponds, Mazonia State Fish and Wildlife Area (33)
Grundy County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
White, Black or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 10 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

McMullon Lake, City of McHenry

- McHenry County
All Fish
- 2 Pole and Line Fishing Only (1)
Bluegill or Redear
Sunfish (14)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
Channel Catfish
- 15" Minimum Length Limit
Large or Smallmouth Bass
- 1 Fish Daily Creel Limit
Large or Smallmouth
Bass (14)

McKinley Park Lagoon, Chicago Park District

- Cook County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

McLeansboro City Lakes, City of McLeansboro

- Hamilton County
All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
Channel Catfish
- 14" Minimum Length Limit
Large or Smallmouth Bass

McMaster Lakes, McMaster State Fish and Wildlife Area

- Knox County
All Fish
- 2 Pole and Line Fishing Only (1)
Bluegill or Redear
Sunfish (14)
Channel Catfish
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
Large or Smallmouth Bass
- 15" Minimum Length Limit
Large or Smallmouth
Bass (14)
- 3 Fish Daily Creel Limit
- 36" Minimum Length Limit
Pure Muskellunge
Walleye, Sauger, or Hybrid
Walleye (14)
- 3 Fish Daily Creel Limit
- 5 Fish Daily Creel Limit
White, Black, or Hybrid
Crappie (15)

Meredosia Lake - Cass County Portion Only (meandered waters only) (33)

- Cass County
Cass County
Meredosia Lake - Cass County Portion
(meandered waters only) (All boat traffic is prohibited from operating on
meandered waters (except non-motorized boats may be used to assist in the
retrieval of waterfowl shot from private land) from the period from one week
before waterfowl season opens until the season closes; hunting and/or any
other activity is prohibited during the period from one week before waterfowl

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

season opens until the season closes)

Mernmet State Lake, Mernmet Lake Conservation Area (33)

- Massac County
All Fish
- 2 Pole and Line Fishing Only (1)
(5)
Bluegill or Redear
Sunfish
- 8" Minimum Length Limit
Bluegill or Redear
Sunfish (14)
- 10 Fish Daily Creel Limit
Channel Catfish
- 6 Fish Daily Creel Limit
Large or Smallmouth Bass
- 14" Minimum Length Limit
White, Black, or Hybrid
Crappie (15)
- 25 Fish Daily Creel Limit

Middle Fork Forest Preserve Ponds, Champaign County Forest Preserve

- Champaign County
All Fish
- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)
- 25 Fish Daily Creel Limit
Channel Catfish
- 6 Fish Daily Creel Limit
Large or Smallmouth Bass
- 14" Minimum Length Limit

Middle Fork of the Vermilion River, Kickapoo State Park and Middle Fork Fish and Wildlife Area

- Vermilion County
All Fish
- 2 Pole and Line Fishing Only (1)

Middle Fork of the Vermilion River Basin - Special Management Zone (river mainstem and tributaries)

- Vermilion/Champaign/Ford Counties
Large or Smallmouth Bass
- 14" Minimum Length Limit
Large or Smallmouth Bass
- Catch and Release Only Season in
tributaries - No Harvest May 1
through June 15 (9)

Mill Creek Lake, Clark County Park District

- Clark County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)

Mill Pond, Pearl City Park District

- Stephenson County
All Fish
Large or Smallmouth Bass
Large or Smallmouth
Bass (14)
- 2 Pole and Line Fishing Only (1)
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Mill Race Ponds, Belvidere Park District
Boone County

- Spring Closed Season (11)

Miller Park Lake, City of Bloomington
McLean County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Spring Closed Season (11)

All Fish
Channel Catfish
Trout

Mineral Springs Park Lagoon, City of Pekin

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Fall Closed Season (10)

All Fish
Channel Catfish
Trout

Mississippi River Pools 16, 17, 18, 21, 22, 24, 25, 26 (19)
Multiple Counties

Mississippi River (between IL & IA), State of Illinois

- 14" Minimum Length Limit
- 5 Fish Daily Creel Limit
- 10 Fish Daily Creel Limit (24)
- 15" Minimum Length Limit

Multiple Counties
Large or Smallmouth Bass
Northern Pike
Walleye and Sauger (14)
Walleye

Mississippi River (between IL & MO), State of Illinois

- 14" Minimum Length Limit
- 5 Fish Daily Creel Limit
- 10 Fish Daily Creel Limit (24)
- 15" Minimum Length Limit

Multiple Counties
(Boating prohibited on refuge area (Ellis Bay) immediately upstream of Melvin Price Lock and Dam 26 overflow dike from October 15-April 15)

All Nongame Species Combined
(Excludes endangered
and threatened species
and the following game
species: Crappie,
Channel/Blue/Flathead
Catfish, Rock Bass,
Warmouth, White/Yellow/
Striped/Hybrid Striped
Bass, Trout, Large-
mouth/Smallmouth/
Spotted Bass,
Muskeg/Lunge, Northern
Pike, Chain/Grass
Pike, Pickerel, Walleye,
Sauger, Raddiefish)

Channel or Blue Catfish (14)
Flathead Catfish

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- 12" Minimum Length Limit
- 1 Fish Daily Creel Limit
- 30 Fish Daily Creel Limit
- 8 Fish Daily Creel Limit
- 30 Fish Daily Creel Limit

Large-mouth, Smallmouth,
or Spotted Bass
Northern Pike
Striped, White, or Hybrid
Striped Bass (16)
Walleye and Sauger (14)
White, Black, or Hybrid
Crappie (15)

Monroe Reservoir, Will County Forest Preserve District

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 15" Minimum Length Limit

Will County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass

Montrose Lake, City of Montrose
Cumberland County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

All Fish
Channel Catfish
Large or Smallmouth Bass

Mt. Olive City Lakes, City of Mt. Olive

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Macoupin County
All Fish
Channel Catfish

Mt. Olive (Old) Lake, City of Mt. Olive

- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Macoupin County
Large or Smallmouth Bass
Large or Smallmouth
Bass (14)

Mt. Pulaski Park District Lake, Mt. Pulaski Park District

- 2 Pole and Line Fishing Only (1)

Logan County
All Fish

Mt. Sterling Lake, City of Mt. Sterling

- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)

Brown County
Channel Catfish
Large or Smallmouth Bass

Mt. Vernon City Park Lake, City of Mt. Vernon

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Jefferson County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Bass (14)
Striped, White, or Hybrid
Striped Bass (16)
- 3 Fish Daily Creel Limit
- 10 Creel/3 Fish 17" or Longer Daily (17)
- 48" Minimum Length Limit (40)
Pure Muskellunge
Palmyra-Modesto Water Commission Lake, Palmyra/Modesto Water Commission Macoupin County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
Pana Lake, City of Pana
Shelby and Christian Counties
All Fish
Bluegill or Redear
Sunfish
Bluegill or Redear
Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
Paris East & West Lakes, City of Paris
Edgar County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
Peabody River King, Pit #3 Lakes and Ponds, River King State Conservation Area
St. Clair County
All Fish
- 2 Pole and Line Fishing Only (1) (34)
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
White, Black, or Hybrid
Crappie (15)
White, Black, or Hybrid Crappie
- 25 Fish Daily Creel Limit
- 9" Minimum Length Limit
Pekin Lake (19)
Tazewell County
Perry Farm Pond, Bourbonnais Park District
Kankakee County
All Fish
- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Channel Catfish
Piassa (19)
Madison/Jersey Counties
Pierce Lake, Rock Cut State Park
Winnebago County
All Fish
- 6 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)(7)
- 8" Minimum Length Limit
Bluegill or Redear
Sunfish
Bluegill or Redear
Sunfish (14)
Channel Catfish
Large or Smallmouth Bass (14)
Large or Smallmouth Bass
Pure Muskellunge
White, Black, or Hybrid
Crappie (15)
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 48" Minimum Length Limit (40)
- 25 Fish Daily Creel Limit
Pike County Conservation Area (19)
Pike County
Pickneyville Lake, City of Pickneyville
Perry County
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Pine Creek
Ogle County
Trout
- Spring Closed Season (11)
Pine Creek (within the boundaries of White Pines Forest State Park)
Ogle County
All Fish
Trout
- 2 Pole and Line Fishing Only (1)
- Spring Closed Season (11)
Pine Lake, Village of University Park
Will County
All Fish
Channel Catfish
Piscataway Creek
McHenry County
Trout
Trout
Pittsfield City Lake, City of Pittsfield
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 9" Minimum Length Limit
- Spring Closed Season (11)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Pike County
All Fish
- 2 Pole and Line Fishing Only (1)(7)
- 14" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 9" Minimum Length Limit
Crappie

Pocahontas Park Pond, City of Pocahontas
Bond County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Powerton Lake, Powerton Lake Fish and Wildlife Area (39)
Tazewell County
Powerton Lake shall be closed to boat traffic except for legal waterfowl hunters from one week prior to regular waterfowl season to February 15, and closed to all unauthorized entry during the regular Canada goose and duck season)
All Fish
Channel or Blue Catfish (14)
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Striped, White, or Hybrid
Striped Bass (16)
Walleye, Sauger, or Hybrid
Walleye (14)
Walleye, Sauger, or Hybrid
Walleye
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 18" Minimum Length Limit
- 1 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 10 Creel/3 Fish 17" or Longer Daily (17)
- 3 Fish Daily Creel Limit
- 18" Minimum Length Limit
- Fall Closed Season (10)
Trout

Prospect Pond, City of Moline
Rock Island County
Trout
Pyramid State Park Lakes & Ponds, Pyramid State Park
Perry County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Ramsey Lake, Ramsey Lake State Park
Payette County
All Fish
Bluegill or Redear Sunfish (14)
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth Bass
White, Black, or Hybrid
Crappie (15)
White, Black, or Hybrid
Crappie
- 14" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 9" Minimum Length Limit

Ramsey Lake State Park Ponds, Ramsey Lake State Park
Payette County
Large or Smallmouth Bass
- 14" Minimum Length Limit

Randolph County Lake, Randolph County Conservation Area
Randolph County
All Fish
Channel Catfish
Large or Smallmouth Bass (14)
Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Fall Closed Season (10)

Red Hills Lake, Red Hills State Park
Lawrence County
All Fish
Bluegill or Redear
Sunfish
Bluegill or Redear
Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Red's Landing Wildlife Management Area (19)
Calhoun County
(Walk-in area closed to trespassing 7 days prior to duck season)
Redwing Slough/Deer Lake (33)
Lake County

Rend Lake, U.S. Army Corps of Engineers (22) (33)
Franklin and Jefferson Counties county
See-----~~trout~~-----~~only~~-----~~fishing~~
regulations--for--North--Marcum
Campground-Pond
Large or Smallmouth Bass
Striped, White, Yellow, or Hybrid
Striped Bass (8)
- 14" Minimum Length Limit
- 10 Creel/3 Fish 17" or Longer Daily (17)

Rend Lake Project Ponds - Jackie Branch Pond, Ina N. Borrow Pit, Green Heron Pond, North Marcum Campground Pond, U.S. Army Corps of Engineers
Franklin and Jefferson Counties county

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

(See kids only fishing regulations for North Marcum Campground Pond)

- All Fish
Bluegill or Redear
Sunfish (14)
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
 - 2 Pole and Line Fishing Only (1)
 - 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 1 3 Fish Daily Creel Limit

Rice Lake Fish and Wildlife Area (33)
 Fulton County

Ridge Lake, Fox Ridge State Park

- Coles County
 (Recreational Use Restrictions - Waterfowl Refuge or Hunting Area (19))
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 - 2 Pole and Line Fishing Only (1)
 - 14" Minimum Length Limit
 - 14" Minimum Length Limit

Ris Park Lagoon, Chicago Park District

- Cook County
 All Fish
 Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Riprap Landing (19)
 Calhoun County

Riverside Park Lagoon, Moline Park District

- Rock Island County
 All Fish
 Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Rock Creek, State of Illinois

- Kankakee County
 Trout
 - Spring Closed Season (11)

Rock River Basin - Special Management Zone (Fordam Dam to Oregon Dam, including tributaries)

- Ogle/Winnebago Counties
 Large or Smallmouth Bass
 Large or Smallmouth
 Bass (14)
 - 12" - 16" Protected Slot Length Limit (no possession) (37)
 - 1 Fish over 16" and 2 Fish under 12" Daily Creel Limit

Rock River Basin - Special Management Zone (from Oregon Dam to State Route 2 Highway Bridge at Grand Detour, including all tributaries)

- Ogle County
 Large or Smallmouth Bass
 - Catch and Release Fishing Only (9)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Rock Springs Bike Trail Pond, Macon County Conservation District

- Macon County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth
 Bass (14)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 1 Fish Daily Creel Limit

Rock Springs Pond, Macon County Conservation District

- Macon County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth
 Bass (14)
 Trout
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 1 Fish Daily Creel Limit
 - Spring Closed Season (11)

Roodhouse Park Lake, City of Roodhouse

- Green County
 All Fish
 Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Route 154 Day Use Pond, State of Illinois

- Randolph County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth
 Bass (14)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 1 Fish Daily Creel Limit

Sahara Woods Fish and Wildlife Area (all waters open to the public), State of

Illinois

- Saline County
 All Fish
Bluegill or Redear
Sunfish (14)
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth
 Bass (14)
 White, Black, or Hybrid
 Crappie (15)
 - 2 Pole and Line Fishing Only (1)
 - 15 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 18" Minimum Length Limit
 - 1 Fish Daily Creel Limit
 - 15 Fish Daily Creel Limit

St. Elmo South Lake, City of St. Elmo

- Payette County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Salem Reservoir, City of Salem

- Marion County
 All Fish - 2 Pole and Line Fishing Only (1)(5)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit

Sam Dale Lake, Sam Dale Conservation Area

- Wayne County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit

Sam Dale Trout Pond, Sam Dale Conservation Area

- Wayne County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit
 Trout - Fall Closed Season (10)
 Trout - Spring Closed Season (11)

Sam Parr Lake, Sam Parr State Park

- Jasper County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit

Sand Lake, Illinois Beach State Park

- Lake County
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
 Trout - Fall Closed Season (10)
 Trout - Spring Closed Season (11)

Sandy Creek Basin - Special Management Zone (river mainstem and tributaries)

- Marshall County
 Large or Smallmouth Bass - Catch and Release Only Season - No Harvest May 1 through June 15 (9)

Sangamon Conservation Area (33)(42)

Mason/Cass/Schuyler/Menard Counties

Sangchris Lake, Sangchris Lake State Park

Christian/Sangamon Counties
 (Posted waterfowl refuge closed to all boat traffic during waterfowl season. Bank fishing along the dam shall be permitted. Fishing shall be prohibited in the east and west arms of the lake during the period from 10 days prior to the

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

duck season through the end of the duck season. Fishing shall be prohibited in the west arm of the lake and the east arm of the lake south of the power lines during that portion of the Canada goose season that follows the duck season)

- All Fish - 2 Pole and Line Fishing Only (1)
 (34)
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
 White, Black, or Hybrid - 10 Fish Daily Creel Limit
 Crappie (15)
 White, Black, or Hybrid - 9" Minimum Length Limit
 Crappie

Sangchris Lake Park Ponds, Sangchris Lake State Park

- Sangamon County
 All Fish - 2 Pole and Line Fishing Only (1)

Schiller Pond, Cook County Forest Preserve District

- Cook County
 All Fish - 2 Pole and Line Fishing Only (1)
 (36)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit

Schuy-Rush Lake, City of Rushville

- Schuyler County
 White, Black, or Hybrid - 9" Minimum Length Limit
 Crappie

Senior Citizen's Pond, Kankakee River State Park

- Kankakee County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit

Shabbona Lake, Shabbona Lake State Park

- DeKalb County
 All Fish - 2 Pole and Line Fishing Only (1)(7)
 Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit
 Pure Muskellunge - 48" Minimum Length Limit (40)
 Striped, White, or Hybrid - 17" Minimum Length Limit
 Striped Bass - 3 Fish Daily Creel Limit
 Striped Bass (16)
 Walleye, Sauger, or Hybrid

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Walleye
White, Black, or Hybrid
Crappie (15)
- 18" Minimum Length Limit
- 10 Fish Daily Creel Limit

Shawnee National Forest Lakes & Ponds less than 10 acres, U.S. Forest Service Multiple Counties
All Fish
Channel Catfish
Largemouth, Smallmouth or Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Shawnee National Forest - Bay Creek Lake #5 and #8 (Sugar Creek Lake), U.S. Forest Service
Pope County
All Fish
Channel Catfish
Largemouth, Smallmouth and Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Shawnee National Forest - Dutchman Lake, U.S. Forest Service
Joinsom County
All Fish
Channel Catfish
Largemouth, Smallmouth or Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Shawnee National Forest - Lake Glendale, U.S. Forest Service
Pope County
All Fish
Channel Catfish
Largemouth, Smallmouth or Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Shawnee National Forest - Little Cache #1, U.S. Forest Service
Joinsom County
All Fish
Channel Catfish
Largemouth, Smallmouth or Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Shawnee National Forest - Little Cedar Lake, U.S. Forest Service
Joinsom County
All Fish
Channel Catfish
Largemouth, Smallmouth or Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Shawnee National Forest - One Horse Gap Lake, U.S. Forest Service

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Pope County
All Fish
Channel Catfish
Largemouth, Smallmouth or Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Shawnee National Forest - Pounds Hollow Lake, U.S. Forest Service
Gallatin County
All Fish
Channel Catfish
Largemouth, Smallmouth or Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Shawnee National Forest - Tecumseh Lake, U.S. Forest Service
Hardin County
All Fish
Channel Catfish
Largemouth, Smallmouth or Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Shawnee National Forest - Turkey Bayou, U.S. Forest Service
Jackson County
All Fish
Channel Catfish
Largemouth, Smallmouth or Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Shawnee National Forest - Whoopie Cat Lake, U.S. Forest Service
Hardin County
All Fish
Channel Catfish
Largemouth, Smallmouth or Spotted Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Sherman Park Lagoon, Chicago Park District
Cook County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Siloam Springs Lake, Siloam Springs State Park
Adams County
All Fish
Channel Catfish
Largemouth, Smallmouth Bass
Trout
- 2 Pole and Line Fishing Only (1) (7)
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- Fall Closed Season (10)
- Spring Closed Season (11)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Silver Lake, DuPage County Forest Preserve District

DuPage County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
 Bass (14)
 Trout
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - Spring Closed Season (11)

Silver Springs S.P. (Big Lake) & Ponds, Silver Springs State Fish and Wildlife Area Park

Kendall County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Trout
 Trout
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - Fall Closed Season (10)
 - Spring Closed Season (11)

Site-Wy-All-lakes-and-Ponds--Site-M Conservation Area

Cass County
 All Fish
 Bluegill-or-Redear
 Sunfish
 Bluegill-or-Redear
 Sunfish-(14)
 Channel Catfish
 Large-or-Smallmouth-Bass
 Large-or-Smallmouth Bass-(14)
 Bass-(14)
 -2 Pole-and-line-Fishing-Only-(1)
 -8" Minimum-length-limit
 -10-Fish-Daily-Creel-limit
 -6-Fish-Daily-Creel-limit
 -15" Minimum-length-limit
 -3-Fish-Daily-Creel-limit

Site-Wy-Gurney-Road-Pond-7-Site-M-Conservation Area

Cass County
 All Fish
 Bluegill-or-Redear
 Sunfish
 Bluegill-or-Redear
 Sunfish-(14)
 Channel Catfish
 Large-or-Smallmouth-Bass
 Large-or-Smallmouth Bass-(14)
 Bass-(14)
 Trout
 -2 Pole-and-line-Fishing-Only-(1)
 -8" Minimum-length-limit
 -10-Fish-Daily-Creel-limit
 -6-Fish-Daily-Creel-limit
 -15" Minimum-length-limit
 -3-Fish-Daily-Creel-limit
 -Spring-Closed-Season-(11)

Skokie Lagoons, Cook County Forest Preserve District

Cook County
 All Fish
 Large or Smallmouth Bass
 - 2 Pole and Line Fishing Only (1)
 (36)
 - 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Walleye

- 18" Minimum Length Limit

Small Pit Pond, Boone County Conservation District

Boone County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
 Bass (14)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 1 Fish Daily Creel Limit

Snake-Ben-Hollow-Lakes-Snake-Ben-Hollow-State-Fish-and-Wildlife-Area

Knox County
 (All-use-other-than-waterfowl-hunting-prohibited-from-October-1-through--the-end-of-the-Canada-goose-season)
 All Fish
 Bluegill-or-Redear-Sunfish-(14)
 Channel Catfish
 Large-or-Smallmouth-Bass
 Large-or-Smallmouth-Bass-(14)
 Pure-Musketunge
 Walleye-Sauger-or-Hybrid
 Walleye-(14)
 White-Black-or-Hybrid
 Crappie-(15)
 -2 Pole-and-line-Fishing-Only-(1)
 -10-Fish-Daily-Creel-limit
 -6-Fish-Daily-Creel-limit
 -15" Minimum-length-limit
 -3-Fish-Daily-Creel-limit
 -36" Minimum-length-limit
 -3-Fish-Daily-Creel-limit
 -5-Fish-Daily-Creel-limit

Sparta City Lakes, City of Sparta

Randolph County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit

Sparta "M" Lake, City of Sparta

Randolph County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
 White, Black, or Hybrid
 Crappie
 White, Black, or Hybrid
 Crappie (15)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 9" Minimum Length Limit
 - 10 Fish Daily Creel Limit

Spencer Lake, Boone County Conservation District

Boone County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth
Bass (14)

- 1 Fish Daily Creel Limit

Spring Lake, City of Macomb
McDonough County

All Fish

- 2 Pole and Line Fishing

Only (1) (5)

- 6 Fish Daily Creel Limit

Large or Smallmouth Bass (14)

- 15" Minimum Length Limit

Striped, White, or Hybrid

- 3 Fish Daily Creel Limit

Striped Bass

- 17" Minimum Length Limit

Striped, White, or Hybrid

- 3 Fish Daily Creel Limit

Striped Bass (16)

Spring Lakes (North & South), Spring Lake Conservation Area (33)

Tazewell County

All Fish

- 2 Pole and Line Fishing Only (1)(7)

Channel Catfish

- 6 Fish Daily Creel Limit

Large or Smallmouth Bass

- 12-15" Slot Length Limit (3)

Large or Smallmouth Bass (14)

- 3 Fish Daily Creel Limit

Pure Muskellunge

- 48" Minimum Length Limit (40)

White, Black, or Hybrid

- 25 Fish Daily Creel Limit

Crappie (15)

- 9" Minimum Length Limit

White, Black, or Hybrid

- 9" Minimum Length Limit

Crappie

- 2 Pole and Line Fishing Only (1)

Large or Smallmouth Bass

- 14" Minimum Length Limit

Large or Smallmouth Bass (14)

- 1 Fish Daily Creel Limit

Starved Rock State Park (19)

LaSalle County

Stanton City Lake, City of Staunton

Macoupin County

All Fish

- 2 Pole and Line Fishing Only (1)

Channel Catfish

- 6 Fish Daily Creel Limit

Large or Smallmouth Bass

- 15" Minimum Length Limit

Large or Smallmouth Bass (14)

- 3 Fish Daily Creel Limit

Stephen A. Forbes State Park (19)

Marion County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Sterling Lake, Lake County Forest Preserve District
Lake County

All Fish

- 2 Pole & Line Fishing Only (1)

Channel Catfish

- 6 Fish Daily Creel Limit

Large or Smallmouth Bass (14)

- 1 Fish Daily Creel Limit

Large or Smallmouth Bass

- 15" Minimum Length Limit

Pure Muskellunge

- 36" Minimum Length Limit

Storm Lake, DeKalb Park District

DeKalb County

All Fish

- 2 Pole and Line Fishing (1)

Channel Catfish

- 6 Fish Daily Creel Limit

Large or Smallmouth Bass,

- 14" Minimum Length Limit

Large or Smallmouth

- 1 Fish Daily Creel Limit

Bass (14)

Stump Lake Wildlife Management Area (33)

Jersey County

All Fish

- 2 Pole and Line Fishing Only (36)

Cook County

All Fish

- 2 Pole and Line Fishing Only (36)

Bluegill or Redear

- 8" Minimum Length Limit

Sunfish

- 10 Fish Daily Creel Limit

Bluegill or Redear

- 6 Fish Daily Creel Limit

Sunfish (14)

- 14" Minimum Length Limit

Channel Catfish

- 18" Minimum Length Limit

Large or Smallmouth Bass

- 18" Minimum Length Limit

Walleye, Sauger, or Hybrid

- 18" Minimum Length Limit

Walleye

- 2 Pole and Line Fishing Only (1)

Taylorville Park District Pond, Taylorville Park District

Christian County

All Fish

- 2 Pole and Line Fishing Only (1)

Ten Mile Creek Lakes, Ten Mile Creek State Fish and Wildlife Area

Hamilton/Jefferson Counties (19)

(Areas designated as refuge are closed to all access during the Canada goose season)

All Fish

- 2 Pole and Line Fishing Only (1)

Channel Catfish

- 6 Fish Daily Creel Limit

Large or Smallmouth Bass

- 14" Minimum Length Limit

Tilton City Lake, City of Tilton

Toledo Reservoir, City of Toledo

Cumberland County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- All Fish
 Channel Catfish
 Vermilion County
 Large or Smallmouth Bass
 Large or Smallmouth
 Bass (14)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 1 Fish Daily Creel Limit
- Pommawh-Lake, Moraine-Hills-State-Park
 McHenry County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 1 Fish Daily Creel Limit
- Turkey Bluff Ponds, State of Illinois
 Randolph County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth
 Bass (14)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 1 Fish Daily Creel Limit
- Turner Lake, Chain O'Lakes State Park
 Lake County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass (14)
 Large or Smallmouth
 Bass (14)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 1 Fish Daily Creel Limit
- Tuscola City Lake, City of Tuscola
 Douglas County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth
 Bass (14)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 1 Fish Daily Creel Limit
- Union County Conservation Area
 Union County
 (All fishing and boat traffic prohibited October 15-March 1)
 Valley Lake, Wildwood Park District
 Lake County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth
 Bass (14)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Valmeyer Lake, City of Valmeyer
 Monroe County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth
 Bass (14)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
- Vanhorn Woods Pond, Plainfield Park District
 Will County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth Bass
 (14)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 1 Fish Daily Creel Limit
- Vernor Lake, City of Olney
 Richland County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth
 Bass (14)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Villa Grove East Lake, City of Villa Grove
 Douglas County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth
 Bass (14)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Villa Grove West Lake, City of Villa Grove
 Douglas County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth
 Bass (14)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - Fall Closed Season (10)
- Virginia City Reservoir, City of Virginia
 Cass County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth
 Bass (14)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Waddams Creek
 Stephenson County
 Trout
 - Spring Closed Season (11)
- Walnut Point Lake, Walnut Point State Fish and Wildlife Area
 Douglas County
 All Fish
 - 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Bluegill or Redear
Sunfish
Bluegill or Redear
Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
- Walton Park Lake, City of Litchfield
Montgomery County
All Fish
Bluegill or Redear
Sunfish
Bluegill or Redear
Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth
Bass (14)
- Wampum Lake, Cook County Forest Preserve District
Cook County
All Fish
Bluegill or Redear
Sunfish
Large or Smallmouth Bass
- Warrior-Laker-Moraine-Hills-State-Park
McHenry County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- Washington County Lake, Washington County Conservation Area
Washington County
All Fish
Channel Catfish
Large or Smallmouth Bass
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
- Washington Park Lagoon, Chicago Park District
Cook County
All Fish
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)(36)
- Catch and Release Only (9)
- 14" Minimum Length Limit
- 2 Pole and Line Fishing Only
(1)(36)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Channel Catfish
Washington Park Pond, Springfield Park District
Sangamon County
All Fish
Channel Catfish
Trout
Trout
Waverly Lake, City of Waverly
Morgan County
All Fish
Channel Catfish
Large or Smallmouth Bass
Weinberg-King Pond, Weinberg-King State Park
Schuyler County
All Fish
Channel Catfish
Weldon Springs Lake, Weldon Springs State Park
Dewitt County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth
Bass (14)
West Frankfort New City Lake, City of West Frankfort
Franklin County
All Fish
Channel Catfish
West Frankfort Old City Lake, City of West Frankfort
Franklin County
All Fish
Channel Catfish
West Salem Reservoir, City of West Salem
Edwards County
All Fish
Channel Catfish
Large or Smallmouth Bass
White Hall City Lake, City of White Hall
Greene County
All Fish
Channel Catfish
- 6 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Fall Closed Season (10)
- Spring Closed Season (11)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- 3) Special exemption to the site specific regulations for daily creel and size limit (not exceed the statewide statutory limits) is requested for:

- A) catch, hold for weigh-in, and release tournaments for muskies (all waters);
 - B) black bass catch and release tournaments (Lake Michigan and streams except that the Mississippi, Ohio, and Wabash Rivers are not eligible for permits which exempt participants from daily catch and size limits);
 - C) special catch and release tournaments for which the proceeds go towards youth education and/or charity type projects;
 - D) national catch and release tournaments; and
 - E) special fishing tournaments/events for children under 16, for disabled persons, or for adults over 65.
- b) Requests for a permit shall be made on applications provided by the Department of Natural Resources, Division of Fisheries, at least 60 days prior to the first tournament date.
- c) Issuance or denial of a permit shall be based upon the following criteria:

- 1) The capability of the fishery resource to absorb the tournament with minimal impact to its well-being.
- 2) The location of the tournament; catch and release management zones on streams are not eligible for permits.

3) ~~The Mississippi, Wabash, and Ohio are not eligible for permits which exempt participants from daily catch and size limits for smallmouth bass.~~

- 3.4) The evaluation of the adverse impacts resulting from the additional fishing pressure generated by the tournament on the fish population and the targeted fish species. The evaluation must demonstrate minimal and short-term impacts in order for the Department of Natural Resources to issue the permit. Specific items to be considered include:

- A) biological status of the fish population, including the species sought;
- B) length of the tournament;
- C) number of boats and anglers participating in the tournament;
- D) for tagged fish tournaments, provisions for obtaining and tagging targeted fish species; and
- E) safety of anglers and potential boater-user conflicts.

4.5) Demonstrates adequate provisions for holding, handling, and releasing caught fish. Specific criteria are:

- A) tournament officials must be able to certify that all boats will be required to possess a livewell (except muskie fishing tournaments) measuring at least 18" long, 12" deep, and 12" wide and be fitted with a functioning aerator and water pump.
- B) Following the weigh-in, fish must be released away from the weigh-in site and as near to the spot where the catch was

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

made as possible by means of a common release boat or vehicle, or by individual boats.

- C) If a common release boat or vehicle is utilized, the anglers transporting the fish to be released are exempt from the daily creel limit. A common release boat and holding tank used to transport fish for release shall be adequate to carry a tank constructed of a suitable material (aluminum or fiber glass) with smooth interior walls with no obstructions to trap or injure fish. The tank must be able to hold at least one gallon of water per pound of fish, provide adequate aeration, and maintain constant desirable temperature to sustain their well-being. The tank must have operating hatches to prevent fish from jumping out of the tank and allow quick opening and closing for introduction and removal of fish. Detailed specifications on the design and use of a fish holding tank are available upon request from the IDNR, Division of Fisheries. Individual boats and anglers returning their catches of fish back to a release site must adhere to daily creel limits. Tournament officials must be able to certify that a common release boat is being utilized for this tournament.
 - D) For catch, weigh-in, and release muskie tournaments, all boats must have a fish cradle (made from netting) to temporarily hold the muskie in the water while an official determines the length or weight of the fish prior to release. Muskies may not be transported to a weigh-in site.
- 5) 6) Adequate identification of participants in fishing tournament for law enforcement purposes. Specific criteria include:
- A) Tournament officials must keep and have available on site a written record or log of daily participants (including names and boat registration numbers) for inspection by Department of Natural Resources officials.
 - B) Each participant and boat must be identified in an easily recognizable manner at a distance (patch on the hat or back).
 - d) Failure to acquire a permit as referenced in subsection (a) above is a petty offense and will result in denial of future applications for a Fishing Tournament Permit by that applicant, sponsor or group for a period up to 5 years.

(Source: Amended
1992/3/30)

at 24 Ill. Reg.

87 36, effective

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Child Support Enforcement

2) Code Citation: 89 Ill. Adm. Code 160

3) Section Numbers:	Adopted Action:
160.5	Amendment
160.60	Amendment
160.75	Amendment
160.95	New Section
160.100	Amendment
160.110	Amendment
160.120	Amendment
160.130	Amendment
160.132	Amendment
160.134	Amendment
160.136	Amendment

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13] and Public Acts 91-0212 and 91-0677

5) Effective Date of Amendments: February 25, 2000

6) Does this rulemaking contain an automatic repeal date? No

7) Do these amendments contain incorporations by reference? No

8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: October 15, 1999 (23 Ill. Reg. 12573)

10) Has JCAR issued a Statement of Objection to these amendments? No

11) Differences Between Proposal and Final Version: The following changes have been made in the text of the proposed rulemaking. Several of the changes are in response to Public Act 91-0677 that was signed on January 5, 2000.

Section 160.5

The first four definitions relating to AFDC have been stricken in their entirety.

All occurrences of "U.S.C" in this Section have been changed to "USC".

In the definition of "Assignment of support", "AFDC" has been changed to "TANF" and the first USC citation has been changed to "608(a)(3)".

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

In the definition for "Cancellation", "AFDC" has been changed to "TANF".

New definitions have been added after "Support obligation", as follows:

"TANF" refers to Temporary Assistance for Needy Families, Title IV-A of the Social Security Act (42 USC 601 et seq.) that is financial and medical assistance available to families with one or more children or on behalf of children in foster care under the guardianship of the Department of Children and Family Services.

"TANF MANG" refers to Medical Assistance. No Grant cases in which medical assistance only is available to families with one or more children.

"TANF MANG recipient" refers to a member of a family with one or more children receiving medical assistance only in the current month.

"TANF recipient" refers to a person who is receiving financial and medical assistance under TANF in the current month.

"two business days", for purposes of disbursement of support payments under Subpart F of this Part, shall have the meaning and be qualified in the same manner as in Section 454B of the Social Security Act (42 USC 654b).

In the definition for "Unreimbursed AFDC", the three occurrences of "AFDC" have been changed to "former AFDC or TANF".

Section 160.60

In subsection (e)(3), new language has been added after "(750 ILCS 5/507.11)" to read, "Section 320 of the Uniform Interstate Family Support Act [750 ILCS 22/320]".

Section 160.95

In subsection (a), the brackets enclosing the USC citation have been changed to parentheses.

In subsection (a)(2), "in which an order for support was entered after January 1, 1994, and" has been deleted.

Subsection (b) has been revised to read: "In accordance with Public Act 91-0677, the Department shall provide notice to the clerk of the court (if the order for support was entered by the court), the obligor and, where applicable, to the obligor's payor of income to make support payments to the State Disbursement Unit if:"

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Subsection (b)(2) has been revised by deleting all of the text and adding, "the order for support in a non-IV-D case does not provide that income withholding payments are to be made to the State Disbursement Unit."

In Subsection (c), "(b) above" has been changed to "(b) of this Section".

A new subsection (d) has been added to read: "If the State Disbursement Unit receives a support payment that was not appropriately made to the Unit, the State Disbursement Unit shall return the payment to the sender within two business days after receipt, including, if possible, instructions detailing where to send the support payments."

The previous new subsection (d), which is now new subsection (e), has been revised to read: "Support payments that are appropriately made to the State Disbursement Unit shall be disbursed in accordance with the provisions on distribution of support collections in this Subpart F."

No other substantive changes have been made in the text of the proposed amendments.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

13) Will these amendments replace emergency amendments currently in effect? Yes

14) Are there any other amendments pending on this Part? No

15) Summary and Purpose of Amendments: This rulemaking concerning child support enforcement amends provisions on the establishment of support obligations, income withholding and distribution of support collections, and adds a new Section providing for the State Disbursement Unit (SDU). These changes require entry of support orders providing for payment of support to the SDU, service of income withholding notices within two business days after entry of the support order or location of the payor of income, and distribution of support collections within two business days after receipt by the SDU. These changes are necessary to comply with the requirements of Sections 454(27) and 454B of the Social Security Act (42 USC 654(27) and 654b). Illinois' SDU is being established under the authority of Public Acts 91-0212 and 91-0677.

The anticipated fiscal year 2000 expenditure increases resulting from these amendments are as follows:

* For establishing the State Disbursement Unit and first year operating costs, the impact is expected to be approximately \$8.6 million.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

* The impact of distributing support collections within two business days after receipt by the State Disbursement Unit, instead of the current four to six day turnaround, is expected to be approximately \$1.9 million.

16) Information and questions regarding these adopted amendments shall be directed to:

Joanne Jones
Office of the General Counsel
Illinois Department of Public Aid
201 South Grand Avenue East, Third Floor
Springfield, Illinois 62763-0002
(217) 524-0081

The full text of the adopted amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER f: COLLECTIONS

PART 160

CHILD SUPPORT ENFORCEMENT

SUBPART A: GENERAL PROVISIONS

Incorporation By Reference

Section
160.1 Definitions
160.5 Child Support Enforcement Program
160.12 Administrative Accountability Process
160.15 Application Processing Fee for IV-D Non-TANF Cases
160.20 Assignment of Rights to Support
160.25 Recoupment

SUBPART B: COOPERATION WITH CHILD SUPPORT ENFORCEMENT

Section
160.30 Cooperation With Support Enforcement Program
160.35 Good Cause for Failure to Cooperate with Support Enforcement
160.40 Proof of Good Cause For Failure to Cooperate With Support Enforcement
160.45 Suspension of Child Support Enforcement Upon Finding of Good Cause

SUBPART C: ESTABLISHMENT AND MODIFICATION OF
CHILD SUPPORT ORDERS

Section
160.60 Establishment of Support Obligations
160.61 Uncontested and Contested Administrative Paternity and Support Establishment
160.62 Cooperation with Paternity Establishment and Continued Eligibility Demonstration Program (Repealed)
160.65 Modification of Support Obligations

SUBPART D: ENFORCEMENT OF CHILD SUPPORT ORDERS

Section
160.70 Enforcement of Support Orders
160.71 Credit for Payments Made Directly to the Title IV-D Client
160.75 Withholding of Income to Secure Payment of Support
160.77 Certifying Past-Due Support Information or Failure to Comply with a Subpoena or Warrant to State Licensing Agencies
160.80 Amnesty - 20% Charge
160.85 Diligent Efforts to Serve Process
160.88 State Case Registry

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

SUBPART E: EARMARKING CHILD SUPPORT PAYMENTS
Earmarking Child Support Payments

SUBPART F: DISTRIBUTION OF SUPPORT COLLECTIONS

Section
160.90 State Disbursement Unit
160.95 Distribution of Child Support for TANF Recipients
160.100 Distribution of Child Support for Former AFDC or TANF Recipients who Continue to Receive Child Support Enforcement Services
160.110 Distribution of Child Support Collected While the Client Was an AFDC or TANF Recipient, But Not Yet Distributed at the Time the AFDC or TANF Case Is Cancelled
160.120 Distribution of Intercepted Federal Income Tax Refunds
160.130 Distribution of Child Support for Non-TANF Clients
160.132 Distribution of Child Support for Interstate Cases
160.134 Distribution of Support Collected in IV-E Foster Care Maintenance Cases
160.136 Distribution of Child Support for Medical Assistance No Grant Cases

SUBPART G: STATEMENT OF CHILD SUPPORT ACCOUNT ACTIVITY

Section
160.140 Statement of Child Support Account Activity

SUBPART H: DEPARTMENT REVIEW OF DISTRIBUTION OF CHILD SUPPORT

Section
160.150 Department Review of Distribution of Child Support for TANF Recipients
160.160 Department Review of Distribution of Child Support for Former AFDC or TANF Recipients

AUTHORITY: Implementing and authorized by Sections 4-1.7, Art. X, 12-4.3 and 12-13 of the Illinois Public Aid Code (305 ILCS 5/4-1.7, Art. X, 12-4.3 and 12-13).

SOURCE: Recodified from 89 Ill. Adm. Code 112.78 through 112.86 and 112.88 at 10 Ill. Reg. 11928; amended at 10 Ill. Reg. 19990, effective November 14, 1986; emergency amendment at 11 Ill. Reg. 4800, effective March 5, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9129, effective April 30, 1987; amended at 11 Ill. Reg. 15208, effective August 31, 1987; emergency amendment at 11 Ill. Reg. 1563, effective December 31, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 9085, effective May 16, 1988; amended at 12 Ill. Reg. 18185, effective November 4, 1988; emergency amendment at 12 Ill. Reg. 20835, effective December 2, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 22278, effective January 1, 1989; amended at 13 Ill. Reg. 4268, effective March

21, 1989; amended at 13 Ill. Reg. 7761, effective May 22, 1989; amended at 13 Ill. Reg. 14385, effective September 1, 1989; amended at 13 Ill. Reg. 16768, effective October 12, 1989; amended at 14 Ill. Reg. 18759, effective November 9, 1990; amended at 15 Ill. Reg. 1034, effective January 21, 1991; amended at 16 Ill. Reg. 1852, effective January 20, 1992; amended at 16 Ill. Reg. 9997, effective June 15, 1992; amended at 17 Ill. Reg. 2272, effective February 11, 1993; amended at 17 Ill. Reg. 1844, effective October 18, 1993; amended at 18 Ill. Reg. 697, effective January 10, 1994; amended at 18 Ill. Reg. 12052, effective July 25, 1994; amended at 18 Ill. Reg. 15083, effective September 23, 1994; amended at 18 Ill. Reg. 17886, effective November 30, 1994; amended at 19 Ill. Reg. 1314, effective January 30, 1995; amended at 19 Ill. Reg. 8298, effective June 15, 1995; amended at 19 Ill. Reg. 12675, effective August 31, 1995; emergency amendment at 19 Ill. Reg. 15492, effective October 30, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. 1195, effective January 5, 1996; amended at 20 Ill. Reg. 5653, effective March 28, 1996; emergency amendment at 20 Ill. Reg. 14002, effective October 15, 1996, for a maximum of 150 days; amended at 21 Ill. Reg. 1189, effective January 10, 1997; amended at 21 Ill. Reg. 3922, effective March 13, 1997; emergency amendment at 21 Ill. Reg. 8594, effective July 1, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 9220, effective July 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 12197, effective August 22, 1997; amended at 21 Ill. Reg. 16050, effective November 26, 1997; amended at 22 Ill. Reg. 14895, effective August 1, 1998; emergency amendment at 22 Ill. Reg. 17046, effective January 22, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 2313, effective January 22, 1999; emergency amendment at 23 Ill. Reg. 11715, effective September 1, 1999, for a maximum of 150 days; emergency amendment at 23 Ill. Reg. 12737, effective October 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 14560, effective December 1, 1999; amended at 24 Ill. Reg. 2380, effective January 27, 2000; amended at 24 Ill. Reg. 3808, effective February 1, 2000.

SUBPART A: GENERAL PROVISIONS

Section 160.5 Definitions

"APBC"---refers-to-the-Aid-to-Families-with-Dependent-Children-Program Title-IV-A-of-the-Social-Security-Act-(42 U.S.C. 601-et seq)-that-is financial-and-medical-assistance-available-to-families-with-one-or more-dependent-children

"APBC-WAIVER"---refers-to-Medical-Assistance-No-Grant-cases-in-which medical-assistance-only-is-available-to-families-with-one-or-more dependent-children;

"APBC-WAIVER-recipient"---refers-to-a-member-of-a-family-with-one-or-more dependent-children-receiving-medical-assistance-only-in-the-current month;

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

"APBC-recipient"---refers-to-a-person-who-is-receiving-financial-and medical-assistance-under-the-APBC-program-in-the-current-month;

"Assignment of Medical Support" refers to the transfer of support rights to the Department by the acceptance of Medicaid benefits under 42 USC 8-54e-1396k and Section 10-1 of the Illinois Public Aid Code [305 ILCS 5/10-1].

"Assignment of support" refers to the transfer of support rights to the Department by the acceptance of TANF APBC benefits, pursuant to 42 USC 8-54e-608(a)(3) 609e742647a and Section 10-1 of the Illinois Public Aid Code [305 ILCS 5/10-1] or the Department of Children and Family Services ("DCFS"), in the case of IV-E foster care, pursuant to 42 USC 8-54e-671(a)(17) and Section 9.1 of the Children and Family Services Act [20 ILCS 505/9.1].

"Assistance Standard" shall have the meaning ascribed to it in 89 Ill. Adm. Code 111.

"Cancellation" refers to the discontinuance of TANF APBC financial and medical benefits for an assistance unit because of the failure to satisfy the conditions of eligibility under the Title IV-A State Plan.

"Child support enforcement services" refers to those services provided to establish, enforce and collect support, in accordance with an approved State Plan under Title IV-D of the Social Security Act (42 USC 8-54e-654).

"Date of Collection" for distribution purposes in all cases refers to the date on which (a) a payor of income withholds an amount from a responsible relative's wages or other income to meet a support obligation when there is a served income withholding notice, (b) the Department of Employment Security withholds an amount from a responsible relative's unemployment insurance benefits ("UIB") to meet a support obligation when there is withholding of UIB, or (c) a collection as a result of intercept of a federal income tax refund is received by the Department, or (d) in all other instances, a support payment is received by the State Disbursement Unit Clerk-of-the-Court or-the-Department-whichever-date-is-earlier.

"Family-Support-Information-System"---or---"FSIS"---refers-to-the-data processing-system-used-to-process-all-IV-B-cases-in-Illinois;

"IV-D account receivable" or "support account" refers to a part of the accounting system in KIDS PG59 used to record charges, payments, and account adjustments for a particular account. More than one account may exist for a given caretaker relative and for a given responsible relative. For example, a mother with two children by one father from

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

one marriage, and three children by a second father from another marriage, will have two support accounts if there are two separate support obligations. If children are born in a non-marital relationship, there will be one account per child.

"IV-D program" or "IV-D" refers to the child support program set forth in 42 USC § 6-56r 651 et seq. and this Part.

"IV-E foster care" or "IV-E" refers to the foster care program set forth in 42 USC § 6-56r 670 et seq.

"Initial receipt in the State" for disbursement purposes in all cases refers to the date on which the Department of Employment Security withholds an amount from a responsible relative's unemployment insurance benefits ("UIB") to meet a support obligation, when there is a withholding of UIB, a collection as a result of intercept of a federal income tax refund is received by the Department, or in all other instances, a support payment is received by the State Disbursement Unit. ~~Clerk of the Court or the Department, whichever date is earlier.~~

"Rev. Information Delivery System" or "KIDS" refers to the data processing system used to process all IV-D cases in Illinois.

"MANG" refers to Medical Assistance No Grant under the Medicaid Program, Title XIX of the Social Security Act (42 USC § 6-56r 139k), that is medical assistance to families and individuals wherein no cash payment is made.

"Responsible relative" refers to a person who is responsible, or alleged to be responsible, under law for support of a dependent.

"Support case" refers to a case established in the KIDS FSES for the purpose of providing establishment, enforcement and collection services to dependent children and their custodial parent, in accordance with the provisions of Title IV-D of the Social Security Act (42 USC § 6-56r 654).

"Support obligation" refers to the duty a non-custodial relative owes to his or her dependents, as set forth in a legally-valid court or administrative order.

"TANF" refers to Temporary Assistance for Needy Families, Title IV-A of the Social Security Act (42 USC 601 et seq.) that is financial and medical assistance available to families with one or more children or on behalf of children in foster care under the guardianship of the Department of Children and Family Services.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

"TANF MANG" refers to Medical Assistance No Grant cases in which medical assistance only is available to families with one or more children.

"TANF MANG recipient" refers to a member of a family with one or more children receiving medical assistance only in the current month.

"TANF recipient" refers to a person who is receiving financial and medical assistance under TANF in the current month.

"Two business days" for purposes of disbursement of support payments under Subpart F of this Part, shall have the meaning and be qualified in the same manner as in Section 454B of the Social Security Act (42 USC 654b)."

"Unreimbursed former AFDC or TANF" refers to the total amount of financial assistance provided to a family unit, in accordance with Title IV-A of the Social Security Act (42 USC § 6-56r 601 et seq.) for which the State and Federal governments have not been reimbursed. The State and Federal governments are limited in the amount of support payments they may retain for "unreimbursed former AFDC or TANF", in accordance with the provisions set forth in Sections 160.100, 160.110 and 160.130 of this Part. The "amount of unreimbursed assistance accrued prior to the former AFDC or TANF cancellation" reported in the Department's "Statements of Child Support Account Activity for Former Recipients" (see Section 160.140), is that limited amount which the Department is entitled to retain.

(Source: Amended at 24 Ill. Reg. 38 08 effective FEB 23 2011)

SUBPART C: ESTABLISHMENT AND MODIFICATION OF
CHILD SUPPORT ORDERS

Section 160.60 Establishment of Support Obligations

a) Definitions

- 1) "FSS" means any Family Support Specialist performing assigned duties, his supervisory staff and any other person assigned responsibility by the Director of the Department.
- 2) "Service" or "Served" means notice given by certified mail, return receipt requested, or by any method provided by law for service of summons. (See Sections 2-203 and 2-206 of the Civil Practice Law [735 ILCS 5/2-203 and 2-206].)
- 3) "Support Statutes" means the following:
 - A) Article X of the Illinois Public Aid Code [305 ILCS 5/Art. X];
 - B) The Illinois Marriage and Dissolution of Marriage Act [750

DEPARTMENT OF PUBLIC AID
NOTICE OF ADOPTED AMENDMENTS

time and place of the responsible relative interview and that the client may attend if he/she chooses.

- c) Determination of Financial Ability
- 1) In cases handled under subsection (d) of this Section, the Family Support Specialist shall determine the amount of child support and enter an administrative support order on the following basis:

Number of Children	Percent of Responsible Relative's Net Income
1	20%
2	25%
3	32%
4	40%
5	45%
6 or more	50%

A) "Net Income" is the total of all income from all sources, minus the following deductions:

- i) Federal income tax (properly calculated withholding or estimated payments);
 - ii) State income tax (properly calculated withholding or estimated payments);
 - iii) Social Security (FICA payments);
 - iv) Mandatory retirement contributions required by law or as a condition of employment;
 - v) Union dues;
 - vi) Dependent and individual insurance premiums;
 - vii) Prior obligations of support or maintenance actually paid pursuant to a court order or administrative support order;
 - viii) Expenditures for repayment of debts that represent reasonable and necessary expenses for the production of income;
 - ix) Medical expenditures necessary to preserve life or health; and
 - x) Reasonable expenditures for the benefit of the child and the other parent, exclusive of gifts.
- B) The deductions in subsections (c)(1)(A)(viii), (ix) and (x) of this Section shall be allowed only for the period that such payments are due. The Department shall enter administrative support orders which contain provisions for an automatic increase in the support obligation upon termination of such payment period.
- 2) In de novo hearings provided in subsection (d)(5)(C) of this Section and 89 Ill. Adm. Code 104.102, the Department's hearing officer shall determine the minimum amount of child support as follows:

DEPARTMENT OF PUBLIC AID
NOTICE OF ADOPTED AMENDMENTS

- ILCS 5);
- C) The Non-Support Punishment Act [750 ILCS 16] of Spouse and Children-Act-1759-106S-15);
 - D) The Uniform Interstate Family Support Act [750 ILCS 22];
 - E) The Illinois Parentage Act of 1984 [750 ILCS 45]; and
 - F) Any other statute in another state which provides for child support.

4) "Retroactive support" means support for a period prior to the date a court or administrative support order is entered.

5) "Child's needs" means the cost of raising a child as detailed by either:

- A) the custodial parent's statement of the associated costs including, but not limited to, providing a child with: food, shelter, clothing, schooling, recreation, transportation and medical care; or
- B) the Department's standard for the costs of raising a child taking into account average actual costs of providing a child with: food, shelter, clothing, schooling, recreation, transportation and medical care in a manner consistent with health and well being as set forth in this Part.

b) Responsible Relative Contact

1) Timing and Purpose of Contact

- A) The Department shall contact and interview responsible relatives in Title IV-D cases to establish support obligations, following the IV-D client interview.
- B) The purpose of contact and interview shall be to obtain relevant facts including income information (for example, paycheck stubs, income tax returns) necessary to determine the financial ability of such relatives for use in obtaining stipulated, consent and other court orders for support and in entering administrative support orders, pursuant to the support statutes.
- 2) At least ten working days in advance of the interview, the Department shall notify each responsible relative contacted of his support obligation, by ordinary mail, which notice shall contain the following:
 - A) the Title IV-D case name and identification number;
 - B) the names and birthdates of the persons for whom support is sought or other information identifying such persons, such as a prior court number;
 - C) that the responsible relative has a legal obligation to support the named persons;
 - D) the date, time, place and purpose of the interview and that the responsible relative may be represented by counsel; and
 - E) that the responsible relative should bring specified information regarding his income and resources to the interview.
- 3) The Department shall notify each Title IV-D client of the date,

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Percent of Responsible
Relative's Net Income

Number of Children

1 20%
2 25%
3 32%
4 40%
5 45%
6 or more 50%

A) "Net Income" is the total of all income from all sources, minus the following deductions:

- i) Federal income tax (properly calculated withholding or estimated payments);
- ii) State income tax (properly calculated withholding or estimated payments);
- iii) Social Security (FICA payments);
- iv) Mandatory retirement contributions required by law or as a condition of employment;
- v) Union dues;
- vi) Dependent and individual health/hospitalization insurance premiums;
- vii) Prior obligations of support or maintenance actually paid pursuant to a court order or administrative support order;
- viii) Expenditures for repayment of debts that represent reasonable and necessary expenses for the production of income;
- ix) Medical expenditures necessary to preserve life or health; and
- x) Reasonable expenditures for the benefit of the child and the other parent, exclusive of gifts.

B) The deductions in subsections (c)(2)(A)(viii), (ix) and (x) of this Section shall be allowed only for the period that such payments are due. The Department shall enter administrative support orders that contain provisions for an automatic increase in the support obligation upon termination of such payment period.

C) The above guidelines shall be applied in each case unless the Department finds that application of the guidelines would be inappropriate after considering the best interests of the child in light of evidence including but not limited to one or more of the following relevant factors:

- i) the financial resources and needs of the child;
- ii) the financial resources and needs of the custodial parent;
- iii) the standard of living the child would have enjoyed had the marriage not been dissolved, the separation not occurred or the parties married;

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

- iv) the physical and emotional condition of the child, and his educational needs; and
- v) the financial resources and needs of the non-custodial parent.

D) Each order requiring support that deviates from the guidelines shall state the amount of support that would have been required under the guidelines. The reason or reasons for the variance from the guidelines shall be included in the order.

3) In cases referred for judicial action under subsection (e) of this Section, the Department's legal representative shall ask the court to determine the amount of child support due in accordance with Section 505 of the Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5/505].

4) All orders for support shall include a provision for the health care coverage of the child. In all cases where health/hospitalization insurance coverage is not being furnished by the responsible relative to a child to be covered by a support order, the Department shall enter administrative, or request the court to enter support orders requiring the relative to provide such coverage when a child can be added to an existing insurance policy at reasonable cost or indicating what alternative arrangement for health/hospitalization insurance coverage is being provided. However, in Title IV-D non-TANF cases where the client is neither an applicant for nor a recipient of Medical Assistance, the Department shall enter or request such support orders only with the client's consent. Net income shall be reduced by the cost thereof in determining the minimum amount of support to be ordered.

5) When proceeding under subsection (d) of this Section, the Department shall, in any event, notwithstanding other provisions of this subsection and regardless of the amount of the responsible relative's net income, order the responsible relative to pay child support of at least \$10.00 per month.

6) In cases where the net income of the responsible relative cannot be determined because of default or any other reason, the Department shall order or request the court to order the responsible relative to pay retroactive support for the prior period in the amount of the child's needs as defined by subsection (a)(5)(A) or (B) of this Section.

7) The final order in all cases shall state the support level in dollar amounts.

8) If there is no net income because of the unemployment of a responsible relative who resides in Illinois and is not receiving General Assistance in the City of Chicago and has children receiving cash assistance in Illinois, the Department, when proceeding under subsection (d) of this Section, shall order, or, when proceeding under subsection (e) of this Section, shall

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

request the court to order the relative to report for participation in job search, training or work programs established for such relatives. In TANF cases, the Department shall order, when proceeding under subsection (d) of this Section, or when proceeding under subsection (e) of this Section, shall request the court to order, payment of past-due support pursuant to a plan and, if the responsible relative is unemployed, subject to a payment plan and not incapacitated, that the responsible relative participate in job search, training and work programs established under Section 9-6 and Article IXA of the Illinois Public Aid Code [305 ILCS 5/9-6 and Art. IXA].

9) The Department shall enter administrative support orders, or request the court to enter support orders, that include a provision requiring the responsible relative to notify the Department, within seven days:

- A) of any new address of the responsible relative;
- B) of the name and address of any new employer or source of income of the responsible relative;
- C) of any change in the responsible relative's Social Security Number;
- D) whether the responsible relative has access to health insurance coverage through the employer or other group coverage; and
- E) if so, the policy name and number and the names of persons covered under the policy.

10) The Department shall enter administrative support orders, or request the court to enter support orders, that include a date on which the current support obligation terminates. The termination date shall be no earlier than the date on which the child covered by the order will attain the age of majority or is otherwise emancipated. The order for support shall state that the termination date does not apply to any arrearage that may remain unpaid on that date. The provision of a termination date in the order shall not prevent the order from being modified.

11) The Department shall enter administrative support orders, or request the court to enter support orders, that include provisions for retroactive support when appropriate.

A) In cases handled under subsection (d) of this Section, the Department shall order the period of retroactive support to begin with the later of two years prior to the date of entry of the administrative support order or the date of the married parties separation (or the date of birth of the child for whom support is ordered, if the child was born out of wedlock).

B) In de novo hearings provided for in subsection (d)(5)(G) of this Section and 89 Ill. Adm. Code 104.102, the Department's hearing officer shall order the period of retroactive support to begin with the later of two years prior to the

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

date of entry of the administrative support order or the date of the married parties separation (or the date of birth of the child for whom support is ordered, if the child was born out of wedlock), unless, in cases where the child was born out of wedlock, the hearing officer, after having examined the factors set forth in Section 14(b) of the Illinois Parentage Act of 1984 [750 ILCS 45/14] and Section 505 of the Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5/505] decides that another date is more appropriate.

- C) In cases referred for judicial action under subsection (e) of this Section, the Department's legal representative shall ask the court to determine the date retroactive support is to commence in accordance with Article X of the Illinois Public Aid Code [305 ILCS 5/Art. X], Sections 510 and 505 of the Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5/510 and 505], and Section 14(b) of the Illinois Parentage Act of 1984 [750 ILCS 45/14].
- d) Administrative Process
 - 1) Use of Administrative Process
 - A) Unless otherwise directed by the Department, the FSS shall establish support obligations of responsible relatives through the administrative process set forth in this subsection (d), in Title IV-D cases, wherein the court has not acquired jurisdiction previously, in matters involving:
 - i) presumed paternity as set forth in Section 5 of the Illinois Parentage Act of 1984 [750 ILCS 45/5] and support is sought from one or both parents;
 - ii) alleged paternity and support is sought from the mother;
 - iii) an administrative paternity order entered under Section 160.61 and support is sought from the man determined to be the child's father, or from the mother, or both;
 - iv) an establishment of parentage in accordance with Section 6 of the Illinois Parentage Act of 1984 [750 ILCS 45/6]; and
 - v) an establishment of parentage under the laws of another state, and support is sought from the child's father, or from the mother, or both.
 - B) In addition to those items specified in subsection (b)(2) of this Section, the notice of support obligation shall inform the responsible relative of the following:
 - i) that the responsible relative may be required to pay retroactive support as well as current support; and
 - ii) that in its initial determination of child support under subsection (c), the Department will only consider factors listed in subsections (c)(1)(A)(i)

DEPARTMENT OF PUBLIC AID

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

- iii) through (c)(1)(A)(x) of this Section; and
 - iv) that the Department will enter an administrative support order based only on those factors listed in subsections (c)(1)(A)(i) through (c)(1)(A)(x) of this Section; and
 - iv) that in order for the Department to consider other factors listed in subsection (c)(2)(C) of this Section, Section 14(b) of the Illinois Parentage Act of 1984 (750 ILCS 45/14), and Section 505 of the Illinois Marriage and Dissolution of Marriage Act (750 ILCS 5/505), either the responsible relative or the client must request a de novo hearing within 30 days after mailing or delivery of the administrative support order; and
 - v) that both the client and the responsible relative have a right to request a de novo hearing within 30 days after the mailing or delivery of an administrative support order at which time a Department hearing officer may consider other factors listed in subsection (c)(2)(C) of this Section, Section 14(b) of the Illinois Parentage Act of 1984 (750 ILCS 45/14), and Section 505 of the Illinois Marriage and Dissolution of Marriage Act (750 ILCS 5/505); and
 - vi) that unless the client and/or the responsible relative requests a de novo hearing within 30 days after the order's mailing or delivery, the administrative support order will become a final enforceable order of the Department; and
 - vii) that upon failure of the responsible relative to appear for the interview or to provide necessary information to determine net income, an administrative support order may be entered by default or the Department may seek court determination of financial ability based upon the guidelines.
- 2) The FSS shall determine the ability of each responsible relative to provide support in accordance with subsection (c) of this Section when such relative appears in response to the notice of support obligation and provides necessary information to determine net income. An administrative support order shall be entered which shall incorporate the resulting support amount therein. The FSS shall also determine (and incorporate in the administrative support order) the amount of retroactive support the responsible relative shall be required to pay by applying the relative's current net income (unless the relative provides necessary information to determine net income for the prior period) to the support guidelines in accordance with subsection (c) of this Section.
 - 3) Failure to Appear.

- A) In instances in which the responsible relative fails to appear in response to the notice of support obligation or fails to provide necessary information to determine net income, the FSS shall enter an administrative support order by default, except as provided in subsection (d)(3)(D) of this Section. The terms of the order shall be based upon the needs of the child for whom support is sought, as defined by subsection (a)(5) of this Section. No default order shall be entered when a responsible relative fails to appear at the interview unless the relative shall have been served as provided by law with a notice of support obligation.
- B) The FSS may issue a subpoena to a responsible relative who fails to appear for interview, or who appears and furnishes income information, when the FSS has information from the Title IV-D client, the relative's employer or any other reliable source indicating that:
 - i) financial ability, as determined from the guidelines contained in subsection (c) of this Section, exceeds the amount indicated in case of default, as indicated in subsection (d)(3)(A) of this Section; or
 - ii) income exceeds that reported by the relative.
- C) The FSS will not issue a subpoena under subsection (d)(3)(B) of this Section where the information from the Title IV-D client, the responsible relative's employer or other source concerning the relative's financial ability is verified through documentation such as payroll records, paycheck stubs or income tax returns.
- D) In instances in which the relative fails or refuses to accept or fully respond to a Department subpoena issued to him pursuant to subsection (d)(3)(B) of this Section, the FSS may enter a temporary administrative support order by default, in accordance with subsection (d)(3)(A) of this Section, and may then, after investigation and determination of the responsible relative's financial ability to support, utilizing existing State and Federal sources (for example, Illinois Department of Employment Security), client statements, employer statements, or the use of the Department's subpoena powers, enter a support order in accordance with subsection (c)(1) of this Section.
- 4) The Department shall register, enforce or modify an order entered by a court or administrative body of another state, and make determinations of controlling order where appropriate, in accordance with the provisions of the Uniform Interstate Family Support Act (750 ILCS 22).
- 5) An administrative support order shall include the following:
 - A) the Title IV-D case name and identification number;
 - B) the names and birthdates of the persons for whom support is

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

ordered;

- C) the beginning date, amount and frequency of support;
- D) the total retroactive support obligation and the beginning date, amount (which shall not be less than 20 percent of the current support amount) and frequency of payments to be made until the retroactive support obligation is paid in full;
- E) the amount of any arrearage that has accrued under a prior support order and the beginning date, amount (which shall not be less than 20 percent of the support order) and frequency of payments to be made until the arrearage is paid in full;
- F) a provision requiring that support payments be made to the State Disbursement Unit in the manner in which support payments are to be made;
- G) a statement informing the client and the responsible relative that they have ~~be-has~~ 30 days from the date of mailing of the administrative support order in which to petition the Department for a release from or modification of the order and receive a hearing in accordance with 89 Ill. Adm. Code 104.102 and subsection (c)(2) of this Section, except that for orders entered as a result of a decision after a de novo hearing, the statement shall inform the client and the responsible relative that the order is a final administrative decision of the Department and that review is available only in accordance with provisions of the Administrative Review Law [735 ILCS 5/Art. III]; and
- H) except where the order was entered as a result of a decision after a de novo hearing, a statement that the order was based upon the factors listed in subsection (c)(1)(A) of this Section and that in order to have the Department consider other factors listed in subsection (c)(2)(C) of this Section, Section 14(b) of the Illinois Parentage Act of 1984 [750 ILCS 45/14] and Section 505 of the Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5/505], either the responsible relative or the client must request a de novo hearing within 30 days after mailing or delivery of the administrative support order.
- 6) Every administrative support order entered on or after July 1, 1997, shall include income withholding provisions based upon and containing the same information as prescribed in Section 160.75. The Department shall also prepare and serve income withholding notices after entry of an administrative support order and effect income withholding in the same manner as prescribed in Section 160.75.
- 7) The Department shall provide to each client and each responsible relative a copy of each administrative support order entered, no later than 14 days after entry of such order, by:
 - A) delivery at the conclusion of an interview where financial

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

ability to support was determined. An acknowledgment of receipt signed by the client or relative or an affidavit of delivery signed by the Department's representative shall be sufficient for purposes of notice to that person.

- B) regular mail to the party not receiving personal delivery where the relative fails or refuses to accept delivery, where either party does not attend the interview, or the orders are entered by default.
- C) service in the case of registration of the support orders of another state. A copy of such state's orders shall be served with those of the Department.
- 8) In any case where the administrative support process has been initiated for the custodial parent and the non-marital child, and the custodial parent and the non-marital child move outside the original county, the administrative support case shall remain in the original county unless a transfer to the other county in which the custodial parent and the non-marital child reside is requested by either party or the Department and the hearing officer assigned to the original county finds that a change of venue would be equitable and not unduly hamper the administrative support process.
- e) Judicial Process
 - 1) The Department shall refer Title IV-D cases for court action to establish support obligations of responsible relatives, pursuant to the support statutes (see subsection (a)(3) of this Section) in matters requiring the determination of parentage (except when paternity is to be determined administratively under Section 160.61), in those wherein the court has acquired jurisdiction previously and in instances described in subsection (d)(3)(D) of this Section, and as otherwise determined by the Department.
 - 2) The Department shall prepare the transmit pleadings and obtain or affix appropriate signature thereto which pleadings shall include, but not be limited to, petitions to:
 - A) intervene;
 - B) modify;
 - C) change payment path;
 - D) establish an order for support;
 - E) establish retroactive support;
 - F) establish past-due support;
 - G) establish parentage;
 - H) obtain a rule to show cause;
 - I) enforce judicial and administrative support orders; and
 - J) combinations of the above.
 - 3) Department legal representatives shall request that judicial orders for support require payments to be made to the State Disbursement Unit in accordance with Section 10-10.4 of the Illinois Public Aid Code [305 ILCS 5/10-10.4], Section 507.1 of the Illinois Marriage and Dissolution of Marriage Act [750 ILCS

DEPARTMENT OF PUBLIC AID

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

5/507.11, Section 320 of the Uniform Interstate Family Support Act [750 ILCS 22/320], Section 21.1 of the Illinois Parentage Act of 1984 [750 ILCS 45/21.1] and Section 25 of the Non-Support Enforcement Act [750 ILCS 16/25].

(Source: Amended at 24 Ill. Reg. 3808, effective 1/1/2000)

Section 160.75 Withholding of Income to Secure Payment of Support

a) Definitions

The definitions contained in Section 15 10-16-2(A) of the Income Withholding for Support Act [750 ILCS 28/15] Illinois-Public-Aid-Code {305-1605-5/10-16-2(A)} are incorporated herein by reference.

b) Entry of Order for Support Containing Income Withholding Provisions; Income Withholding Notice

1) The Department, through its legal representative, shall request that when entering an order for support the court include in the order the following income withholding provisions, as required by law:

- A) that an income withholding notice be prepared by the Department and served immediately upon any payor of the obligor, unless a written agreement is reached between and signed by both parties providing for an alternative arrangement, approved and entered into the record by the court, which ensures payment of support. In that case, the Department, through its legal representative, shall request that the order for support provide that an income withholding notice is to be prepared and served only if the obligor becomes delinquent in paying the order for support; and
- B) a dollar amount to be paid until payment in full of any delinquency that accrues after entry of the order for support; the dollar amount not to be less than 20 percent of the total of the current support amount and the amount to be paid periodically for payment of any arrearage stated in the order for support; and
- C) the obligor's Social Security Number disclosed to the court as required by law; and
- D) if the obligor is not a United States citizen, the obligor's alien registration number, passport number, and home country's social security or national health number disclosed to the court as required by law.

2) The income withholding notice prepared by the Department shall:

- A) be in the standard format prescribed by the federal Department of Health and Human Services; and
- B) state the date of entry of the order for support upon which the income withholding notice is based; and

- C) direct any payor to withhold the dollar amount required for current support under the order for support; and
- D) direct any payor to withhold the dollar amount required to be paid periodically under the order for support for payment of the amount of any arrearage stated in the order for support; and
- E) direct any payor or labor union or trade union to enroll a child as a beneficiary of a health insurance plan and withhold or cause to be withheld, if applicable, any required premium; and
- F) state the amount of the payor income withholding fee as provided by law; and
- G) state that the amount actually withheld from the obligor's income for support and other purposes, including the payor's withholding fee, may not be in excess of the maximum amount permitted under the federal Consumer Credit Protection Act; and
- H) state the duties of the payor and the fines and penalties provided by law for failure to withhold and pay over income and for discharging, disciplining, refusing to hire, or otherwise penalizing the obligor because of the duty to withhold and pay over income; and
- I) state the rights, remedies, and duties of the obligor, as provided by law; and
- J) include the obligor's Social Security Numbers of the obligor, the obligee, and the child or children included in the order for support Number; and
- K) include the date withholding for current support terminates, which shall be the date of termination of the current support obligation set forth in the order for support; and
- L) contain the signature of the obligee or the printed name and telephone number of the authorized representative of the public office, except that the failure to contain the signature of the obligee or the printed name and telephone number of the authorized representative of the public office shall not affect the validity of the income withholding notice; and
- M) direct any payor to pay over amounts withheld for payment of support to the State Disbursement Unit.

3) Notwithstanding the exception to immediate income withholding referred to in subsection (b)(1)(A) above, if the court finds at the time of any hearing that an arrearage has accrued, the Department, through its legal representative, shall request that the court order immediate service of an income withholding notice upon the payor, as required by law.

c) Service of Income Withholding Notice

- 1) If the order for support requires immediate service of an income withholding notice, the Department shall serve the notice on the

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

payor within two business days after the date the order is received **entered** if the payor's address is known on that date, or, if the address is unknown on that date, within two business days after locating the payor's address. **If However notwithstanding the foregoing** if the Department receives the payor's address from the Illinois Directory of New Hires, as established under Section 1801.1 of the Unemployment Insurance Act [820 ICS 405/1801.1], the Department shall serve an income withholding notice on the payor within two business days after the date information regarding the obligor and payor is entered into the Illinois Directory of New Hires.

2) The Department may serve the income withholding notice on the payor, its superintendent, manager, or other agent by ordinary mail or certified mail, return receipt requested, by facsimile transmission or other electronic means, by personal delivery, or by any method provided by law for service of a summons. At the time of service on the payor and as notice that withholding has commenced, the Department shall serve a copy of the income withholding notice on the obligor by ordinary mail addressed to his or her last known address. A copy of the income withholding notice together with proofs of service on the payor and the obligor shall be filed by the Department with the Clerk of the Circuit Court.

3) Notwithstanding the fact that the order for support, under the exception to immediate withholding referred to in subsection (b)(1)(A) above, provides that an income withholding notice is to be prepared and served only if the obligor becomes delinquent in paying the order for support, the Department shall serve an income withholding notice on the payor prior to accrual of a delinquency if the obligor executes a written waiver of that condition and requests immediate service on the payor.

4) At any time after the initial service of an income withholding notice, the Department may serve any other payor of the obligor with the same income withholding notice without further notice to the obligor. A copy of the income withholding notice together with a proof of service on the other payor shall be filed with the Clerk of the Circuit Court.

d) Income Withholding After Accrual of Delinquency

1) The Department shall prepare and serve an income withholding notice within two business days after the date the obligor accrues a delinquency if the payor's address is known on that date or, if the address is unknown on that date, within two business days after locating the payor's address. **If However notwithstanding the foregoing** if the payor's address is unknown on the date the obligor accrues a delinquency, and the Department receives the payor's address from the Illinois Directory of New Hires, the Department shall serve an income withholding notice on the payor within two business days after the date information

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

regarding the obligor and payor is entered into the Illinois Directory of New Hires.

2) An income withholding notice prepared by the Department under subsection (d)(1) above shall:

- A) contain the information required under subsection (b)(2) above; and
 - B) contain a total amount of delinquency as of the date of the notice; and
 - C) direct the payor to withhold the dollar amount required to be withheld periodically under the order for support for payment of the delinquency; and
 - D) be served on the payor and the obligor in the manner provided in subsection (c)(2) above.
- 3) The obligor may contest withholding commenced under this subsection (d) by filing a petition to contest withholding with the Clerk of the Circuit Court within 20 days after service of a copy of the income withholding notice on the obligor. However, as required by law, the grounds for the petition to contest withholding shall be limited to:
- A) a dispute concerning the existence or amount of the delinquency; or
 - B) the identity of the obligor.

4) The accrual of a delinquency as a condition for service of an income withholding notice, under the exception to immediate withholding referred to in subsection (b)(1)(A) above, shall apply only to the initial service of an income withholding notice on a payor of the obligor.

e) Initiated Withholding

1) Notwithstanding any other provision of this Section, if the court has not required that income withholding take effect immediately, the Department, pursuant to this subsection (e), may initiate withholding regardless of whether a delinquency has accrued, by preparing and serving an income withholding notice on the payor that contains the information required under subsection (b)(2) above and states that the parties' written agreement providing an alternative arrangement to immediate withholding under subsection (b)(1)(A) above no longer ensures payment of support, and the reason or reasons why it does not.

2) The income withholding notice and the obligor's copy of the income withholding notice shall be served as provided in subsection (c)(2) above.

3) The obligor may contest withholding commenced under this subsection (e) by filing a petition to contest withholding with the Clerk of the Circuit Court within 20 days after service of a copy of the income withholding notice on the obligor. However, as required by law, the grounds for the petition to contest withholding shall be limited to a dispute concerning the conditions in subsections (e)(3)(A) and (B) below (it shall not

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

be grounds for filing a petition that the obligor has made all payments due by the date of the petition:

- A) whether the parties' written agreement providing an alternative arrangement to immediate withholding under subsection (b)(1)(A) above continues to ensure payment of support; or
 - B) the identity of the obligor.
- f) Petition to Modify, Suspend or Terminate an Order for Withholding
- 1) At any time the Department, through its legal representative, may petition the court to:
 - A) modify, suspend or terminate the income withholding notice because of a modification, suspension, or termination of the underlying order for support;
 - B) modify the amount of income to be withheld to reflect payment in full or in part of the delinquency or arrearage by income withholding or otherwise; or
 - C) suspend the income withholding notice because of inability to deliver income withheld to the obligee due to the obligee's failure to provide a mailing address or other means of delivery.
 - 2) The Department shall serve on the payor, in the manner provided for service of income withholding notices in subsection (c)(2) above, a copy of any order entered pursuant to this subsection (f) that affects the duties of the payor.
 - 3) The Department may serve a notice on the payor to:
 - A) cease withholding of income for payment of current support for a child when the support obligation for that child has automatically ceased under the order for support through emancipation or otherwise; or
 - B) cease withholding of income for payment of delinquency or arrearage when the delinquency or arrearage has been paid in full.
 - 4) The notice provided for under subsection (f)(3) above shall be served on the payor in the manner provided for service of income withholding notices in subsection (c)(2) above, and a copy shall be provided to the obligor and the obligee.
- g) Additional Duties
- i) ~~When the Department is no longer authorized to receive payments for the obligee, it shall, within seven days, notify the payor or where appropriate, the clerk of the Circuit Court, to redirect income withholding payments to the obligee.~~
- 2) The Department shall provide notice to the payor and Clerk of the Circuit Court of any other support payment made, including but not limited to:
- 1) ~~Any~~ an offset under Federal or State law; or
 - 2) ~~Any~~ partial payment of the delinquency or arrearage or both.
- h) Alternative Procedures for Service of an Income Withholding Notice
- 1) The procedures of this subsection (h) shall be used by the

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Department in any matter to serve an income withholding notice on a payor if:

- A) For any reason the most recent order for support entered does not contain the income withholding provisions stated in subsection (b) above, irrespective of whether a separate order for withholding was entered prior to July 1, 1997; and
 - B) The obligor has accrued a delinquency after entry of the most recent order for support.
- 2) The Department shall prepare and serve the income withholding notice in accordance with the provisions of subsection (d) above, except that the notice shall contain a periodic amount for payment of the delinquency equal to 20 percent of the total of the current support amount and the amount to be paid periodically for payment of any arrearage stated in the most recent order for support.
- 3) If the obligor requests in writing that income withholding become effective prior to the obligor accruing a delinquency under the most recent order for support, the Department shall prepare and serve an income withholding notice on the payor as provided in subsections (b) and (c) above. In addition to filing proofs of service of the income withholding notice on the payor and the obligor, the Department shall file a copy of the obligor's written request for income withholding with the Clerk of the Circuit Court.
- 1) Notice to Payor
- Whenever the Department serves an income withholding notice on a payor, notice of the following shall be included in or with the income withholding notice:
- 1) that the payor must begin deducting no later than the next payment of income which is payable or creditable to the obligor that occurs 14 days following the date the income withholding notice was mailed, sent by facsimile or other electronic means, or placed for personal delivery to or service on the payor;
 - 2) that the payor must pay the amount withheld to the State Disbursement Unit ~~obligee or public officer, as the case may be~~ within seven business days after the date the amount would (but for the duty to withhold income) have been paid or credited to the obligor;
 - 3) that if the payor knowingly fails to pay any amounts withheld to the State Disbursement Unit within seven business days after the date the amount would have been paid or credited to the obligor, the payor is subject to a penalty of \$100 for each day that the withheld amount is not paid to the State Disbursement Unit ~~obligee or public officer~~ after the period of seven business days has expired;
 - 4) that the payor may combine all amounts withheld for the benefit of an obligee or public office into a single payment and transmit the payment with a listing of obligors from whom withholding has

- been effected;
- 5) that for each deduction the payor must provide the State Disbursement Unit obligee--or--public--office, at the time of transmittal, with the date the amount would (but for the duty to withhold income) have been paid or credited to the obligor;
- 6) that upon receipt of an income withholding notice requiring that a minor child be named as a beneficiary of a health insurance plan available through an employer, labor union or trade union, that the employer or labor union or trade union must:
- A) immediately enroll the minor child as a beneficiary in the health insurance plan designated by the income withholding notice;
- B) withhold or cause to be withheld, if applicable, any required premium and pay over any amounts so withheld to the insurance carrier in a timely manner;
- C) mail to the obligee, within 15 days after enrollment or upon request, notice of the date of coverage, information on the dependent coverage plan, and all forms necessary to obtain reimbursement for covered health expenses, such as would be made available to a new employee;
- D) when an order for dependent coverage is in effect and the insurance coverage is terminated or changed for any reason, notify the obligee within ten days after the termination or change date along with notice of covered privileges;
- 7) that for withholding of income, the payor is entitled to fee not to exceed \$5 per month to be taken from the income to be paid to the obligor;
- 8) that the amount actually withheld for support, the child's health insurance premium and payor withholding fee shall not exceed the maximum amount permitted under the federal Consumer Credit Protection Act;
- 9) that whenever the obligor is no longer receiving income from the payor, the payor must return a copy of the income withholding notice to the Department and provide the obligor's last known address and the name and address of the obligor's new payor, if known;
- 10) that withholding of income under the income withholding notice must be made without regard to any prior or subsequent garnishments, attachments, wage assignments, or any other claims of creditors;
- 11) that the income withholding notice is binding upon the payor until service of an order of the court or a notice from the Department or Clerk of the Circuit Court;
- 12) that the payor is subject to a fine of up to \$200 for discharging, disciplining or otherwise penalizing an obligor because of the duty to withhold income;
- 13) that if the payor willfully fails to withhold or pay over income pursuant to a properly served income withholding notice that the
- payor is liable for the total amount that the payor willfully failed to withhold or pay over;
- 14) that if the payor has been served with more than one income withholding notice pertaining to the same obligor, the payor shall allocate income available on a proportionate share basis, giving priority to current support payments, and that if there is any income available for withholding after withholding for all current support obligations, the payor shall allocate the income to past due support payments ordered in non-TANF matters and then to past due support payments order in TANF matters, both on a proportionate share basis; and
- 15) that a payor who complies with an income withholding notice that is regular on its face is not subject to civil liability with respect to any individual, any agency, or any creditor of the obligor for conduct in compliance with the notice.
- 3) Notice to Obligor. When the Department serves a copy of the income withholding notice on the obligor as required under this Section, notice of the following shall be included in or with the obligor's copy of the income withholding notice:
- 1) that income withholding has commenced;
- 2) the information provided to the payor under subsection (i) above;
- 3) the procedures and the permissible grounds for contesting withholding commenced under subsection (d), (e) or (h) above, as applicable;
- 4) that at any time the obligor may petition the court to:
- A) modify, suspend or terminate the income withholding notice because of a modification, suspension or termination of the underlying order for support; or
- B) modify the amount of income to be withheld to reflect payment in full or in part of the delinquency or arrearage by income withholding or otherwise; or
- C) suspend the income withholding notice because of inability to deliver income withheld to the obligee due to the obligee's failure to provide a mailing address or other means of delivery; or
- D) correct a term contained in an income withholding notice to conform to that stated in the underlying order for support for:
- i) the amount of current support;
- ii) the amount of the arrearage;
- iii) the periodic amount for payment of the arrearage; or
- iv) the periodic amount for payment of the delinquency;
- 5) that the obligor is required by law to notify the obligee, the Department, and the Clerk of the Circuit Court of any new address or payor within seven days after the change; and
- 6) that where a payor willfully discharges, disciplines, refuses to hire or otherwise penalizes an obligor because of the duty to

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

without income, the obligor may file a complaint with the court against the payor, and that the court may order employment or reinstatement of or restitution to the obligor, or may impose a fine upon the payor not to exceed \$200.

Penalties

In cases where a payor willfully fails to withhold or pay over income, pursuant to a properly served income withholding notice, or otherwise fails to comply with any income withholding duties imposed by law, the Department, through its legal representatives, may request that the court:

- 1) enter judgment and direct the enforcement thereof for the total amount that the payor willfully failed to withhold or pay over;
- 2) impose a penalty or fine upon the payor or invoke any other remedy allowed by law.

Interstate Income Withholding

Within the timeframes specified in subsections (c)(1) and (d)(1) of this Section above, and pursuant to the provisions of the Uniform Interstate Family Support Act (750 ILCS 22), the Department shall engage income withholding in cases in which the obligor is receiving income from a payor located in another state.

- m) Refund of Improperly Withheld Amounts
The Department shall promptly refund to the obligor amounts found to have been improperly withheld from the obligor's income.

(Source: Amended at 24 Ill. Reg. 3808, effective February 25, 2000.)

SUBPART F: DISTRIBUTION OF SUPPORT COLLECTIONS

Section 160.95 State Disbursement Unit

- a) The Department shall establish a State Disbursement Unit in accordance with the provisions of Section 10-26 of the Illinois Public Aid Code (305 ILCS 5/10-26) and Section 454B, Title IV-D of the Social Security Act (42 USC 654b). The purpose of the State Disbursement Unit shall be to collect and disburse support payments made under court and administrative support orders:

- 1) in IV-D cases; and
- 2) in non-IV-D cases in which support payments are made under the provisions of the Income Withholding for Support Act (750 ILCS 28).

- b) In accordance with Public Act 91-0677, the Department shall provide notice to the clerk of the court (if the order for support was entered by the court), the obligor and, where applicable, to the obligor's payor of income to make support payments to the State Disbursement Unit if:

- 1) the order for support in a IV-D case was entered before October 1, 1999; or

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

- 2) the order for support in a non-IV-D case does not provide that income withholding payments are to be made to the State Disbursement Unit.

- c) The notice (see subsection (b) of this Section) may be sent by ordinary mail, certified mail, return receipt requested, facsimile transmission, or other electronic process, or may be served upon the obligor or payor using any method provided by law for service of a summons. The Department shall provide a copy of the notice to the obligee and, where the order for support was entered by the court, to the clerk of the court.

- d) If the State Disbursement Unit receives a support payment that was not appropriately made to the Unit, the State Disbursement Unit shall return the payment to the sender within two business days after receipt, including, if possible, instructions detailing where to send the support payments.

- e) Unit payments that are appropriately made to the State Disbursement Unit shall be disbursed in accordance with the provisions on distribution of support collections in this Subpart F.

(Source: Added at 24 Ill. Reg. 3808, effective February 25, 2000.)

Section 160.100 Distribution of Child Support for TANF Recipients

- a) For the purposes of distribution under this Section, amounts collected shall be treated first as payment on the required support obligation for the month in which the child support was collected and if any amounts are collected which are in excess of such amount, these excess amounts shall be treated as amounts which represent payment on the required support obligation for previous months. "Date of collection" shall be as defined in Section 160.5.

- b) Child support payments which are received by the Department for a month in which a client is a TANF recipient shall be distributed as follows:

- 1) Pass through: Of any amount that is collected in a month which represents payment on the required support obligation for that month, the first \$50 of such amount shall be paid to the family. One payment will be forwarded to the family within two business days after the date of initial receipt in the State (see Section 160.5) of the first \$50 of support collected in a month, or if less than \$50 is collected in a month, within two business days after the end of the month in which the support is collected. This payment will be disregarded when determining eligibility for TANF and the amount of the TANF grant. However, when there is a served income withholding notice and the payor of income transmits multiple months of support in a lump sum, the family shall receive the first \$50 of each month of support withheld, if the amount collected includes payment on the

required support obligation for a previous month or months, the family shall only receive the first \$50 of the amount which represents the required support obligation for the month in which the support was collected. If amounts are collected for a single filing unit (see 89 Ill. Adm. Code 112.300(b)) which represent support payments from two or more responsible relatives, only the first \$50 of the amount collected which represents the total required support obligation for the month in which the support was collected shall be paid to the family under this subsection. No payment shall be made to a family under this subsection for a month in which there is no child support collection.

2) Reimbursement of Current TANF: If the amount of child support collected in a month on behalf of a TANF recipient exceeds the amount to be paid to the family pursuant to subsection (b)(1), the excess shall be retained by the Department to reimburse the Department for the assistance payment for the month in which the support was collected or the next month.

3) Current Excess: If the amount of child support collected in a month on behalf of a TANF recipient exceeds the amount to be distributed pursuant to subsections (b)(1) and (b)(2) above, the family shall be paid such excess up to the difference between the TANF grant for the month in which the amount of the collection was used to redetermine eligibility for TANF and the amount ordered for that month. If such court ordered amount is less than the TANF grant, no amount shall be paid to the family under this subsection. In those cases where there is no court order, the family shall not be paid any amount under this subsection.

4) Reimbursement of Past AFDC or TANF: If the amount of child support collected in a month on behalf of a TANF recipient is in excess of the amount required to be distributed pursuant to subsections (b)(1) through (b)(3) above, any such excess shall be retained by the Department as reimbursement for past assistance payments made to the family for which the Department has not been reimbursed. The Department will apply the amount retained to any sequence of months for which the Department has not yet been reimbursed. If past assistance payments made to the family are greater than the unpaid support obligation, the maximum amount the Department can retain as reimbursement for such assistance payments is the amount of such obligation, unless amounts are collected which represent the required support obligation for periods prior to the first month in which the family received assistance, in which case such amounts can be retained by the Department to reimburse the difference between such support obligation and such assistance payments.

5) Past Excess: If the amount of child support collected in a month on behalf of a TANF recipient is in excess of the amount required to be distributed pursuant to subsections (b)(1) through (b)(4) above, such excess shall be paid to the family.

c) If an amount collected as support represents payment on the required support obligation for future months, the amount collected shall be applied to such future months. However, no such amounts shall be applied to future months unless amounts have been collected which fully satisfy the support obligation assigned for the current month and all past months.

d) Identification of Child Support Payment: Any support payment issued to the family under subsection (b)(3) or (b)(5) above shall be identified on its face as being for child support.

(Source: Amended at 24 Ill. Reg. 3808 effective February 25, 2000)

Section 160.110 Distribution of Child Support for Former AFDC or TANF Recipients Who Continue to Receive Child Support Enforcement Services

Child support payments which are received by the Department on behalf of a former AFDC or TANF recipient who continues to receive child support enforcement services, shall be distributed in accordance with the provisions of subsections (a) through (g) of this Section.

- a) Current Support: Upon cancellation of TANF or AFDC, a client's assignment of support ceases (see Section 160.20), except with respect to the amount of any unpaid support obligation that has accrued under such assignment. For any month in which a client is not a TANF recipient, regardless of whether such client continues to receive child support enforcement services, the client is entitled to the amount of current support paid for that month, up to the amount of the monthly support obligation for that month. Current support payments to former AFDC or TANF recipients who do receive child support enforcement services from the Department shall be issued within two Business Days after initial receipt in the State.
- b) Unpaid Current Support Accrued Following Cancellation: If the amount of child support collected in a month on behalf of a former AFDC or TANF recipient who receives child support enforcement services exceeds the amount of current support distributed pursuant to subsection (a) above, the client shall be paid any such amount, up to the unpaid current support obligation which has accrued for any month following cancellation of the client's AFDC or TANF case in which the client received child support enforcement services. Such payments to former AFDC or TANF recipients shall be issued within two Business Days after initial receipt in the State.
- c) Unpaid Current Support Accrued Prior to the Family Receiving Assistance (only in cases where the assignment of support rights under Section 160.20 of this Part was entered into on or after October 1, 1998): If the amount of child support collected in a month on behalf of a former AFDC or TANF recipient who receives child support enforcement services exceeds the amount of support distributed pursuant to subsections (a) and (b) of this Section, the client shall

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

be paid any such amount, up to the unpaid current support obligation that has accrued for any month prior to the family having first received assistance, but only if such first month commenced on or after October 1, 1998, and only if such amount was not collected by use of federal income tax refund offset. Such payments to former TANF recipients shall be issued within two business days after initial receipt in the State.

- d) Unreimbursed AFDC or TANF: If the amount of child support collected in a month on behalf of a former AFDC or TANF recipient exceeds the amount to be distributed pursuant to subsections (a) and (b) of this Section and, where applicable, subsection (c) of this Section, the excess shall be retained by the Department to reimburse it for past unreimbursed AFDC or TANF. If the unpaid support obligation is greater than the past unreimbursed AFDC or TANF, then the maximum reimbursement amount is the amount of unreimbursed AFDC or TANF the Department has provided. If the past unreimbursed AFDC or TANF is greater than the unpaid support obligation, then the maximum reimbursement amount is the amount of the unpaid support obligation, unless amounts are collected which represent the required support obligation for periods prior to the first month in which the former AFDC or TANF recipient received AFDC or TANF, and that first month of receipt of AFDC or TANF occurred prior to October 1, 1998, or the amounts are collected by use of offset of federal income tax refunds, in which case such amounts will be retained by the Department to reimburse the difference between such support obligation and such past unreimbursed AFDC or TANF.

- e) Past Excess: If the amount of child support collected in a month on behalf of a former AFDC or TANF recipient exceeds the amount to be distributed pursuant to subsections (a), (b), (c), and (d) of this Section, the excess, up to the amount of the unpaid support obligation, including the unpaid obligation for months prior to the first month in which the former AFDC or TANF recipient received AFDC or TANF, shall be paid to the client. Such payments to former AFDC or TANF recipients shall be issued within two business days after initial receipt in the State.

- f) Amounts in Excess of the Child Support Obligation: If the amount of child support collected in a month on behalf of a former AFDC or TANF recipient who continues to receive child support enforcement services exceeds the amount to be distributed pursuant to subsections (a), (b), (c), (d), and (e) of this Section, the excess shall be refunded to the responsible relative.

- g) Identification of Child Support Payment: Any support payment issued by the Department to a former AFDC or TANF recipient under this Section shall be identified on its face as being a child support payment.

(Source: Amended at 24 Ill. Reg. 38 08 - 3, effective

FEB 25 2000)

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 160.120 Distribution of Child Support Collected While the Client Was an AFDC or TANF Recipient, But Not Yet Distributed at the Time the AFDC or TANF Case Is Cancelled

Child support payments which are received by the Department in a month in which a client is a current AFDC or TANF recipient, but which have not been distributed when the client's AFDC or TANF case is cancelled shall be distributed in accordance with Section 160.100. Any amounts owed to former AFDC or TANF recipients pursuant to such distribution shall be disbursed issued by the State Disbursement Unit Department in accordance with the following timeframes:

- Child support to which a former AFDC or TANF recipient is entitled pursuant to Section 160.100(b)(1) ("Pass Through") shall be issued in accordance with that Section.
- Child support to which a former AFDC or TANF recipient is entitled pursuant to Section 160.100(b)(3) ("current excess") shall be issued within two business days after the date of initial receipt in the State of a collection for the first month of ineligibility.
- Child support to which a former AFDC or TANF recipient is entitled pursuant to Section 160.100(b)(5) ("past excess") shall be issued within two business days after the date of the initial receipt in the State of a collection for the first month of ineligibility.

(Source: Amended at 24 Ill. Reg. 38 08 - 3, effective FEB 25 2000)

Section 160.130 Distribution of Intercepted Federal Income Tax Refunds

The Department shall as promptly as possible apply collections it receives as a result of intercept of federal income tax refunds only against the past-due support amount specified in the advance notice provided the responsible relative (see Section 160.70(c)(3)).

- Federal income tax refunds shall be applied first to satisfy any IV-D AFDC, IV-D TANF or IV-E foster care assigned past-due support and then to satisfy any IV-D non-TANF past-due support.
- The Department shall send payments made to a IV-D client or DCFS as a result of the intercept of federal or State income tax refunds and other State payments within 30 calendar days after initial receipt by the Department, except as described in subsections (c) and (d) of this Section.

- When a responsible relative initiates the review process under Section 160.70(c)(3)(C) between the date of the tax refund intercept and the date the Department disburses the intercepted funds or the 30th calendar day after the Department's receipt of such funds, whichever first occurs, the State Disbursement Unit Department shall send any funds determined to be due the IV-D client or DCFS within 15 calendar

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

days after the review process concludes.

- d) If the Department is notified by the Federal Office of Child Support Enforcement that an intercept to satisfy IV-D non-TANF past-due support is being made from a refund based on a joint return, the Department may delay distribution of the federal tax refund intercept until it is notified that the unobligated spouse's proper share of the refund has been paid or for a period not to exceed 6 months from notification of the intercept, whichever first occurs.

(Source: Amended at 24 Ill. Reg. 38-08-7 effective FEB 25 2000)

Section 160.132 Distribution of Child Support for Non-TANF Clients

Child support payments which are received by the Department on behalf of a client who has never been an AFDC or TANF recipient shall be distributed in accordance with the timeframes and provisions of subsections (a) through (c) below.

- Current support: The Non-Assistance client is entitled to receive an amount of money equal to the monthly support obligation amount that is collected for current support. The entire amount of the current support collected shall be sent to the client within two business days after from the date of initial receipt in the State.
- Past support: Any amount in excess of the current support obligation is applied to past support owed the non-TANF client and shall be sent to the client within two business days after from the date of initial receipt in the State.
- Future support: If an amount collected as support represents payment on the required support obligation for future months, the amount collected shall be applied to future months and shall be sent to the client within two business days after from the date of the initial receipt in the State.

(Source: Amended at 24 Ill. Reg. 38-08-7 effective FEB 25 2000)

Section 160.134 Distribution of Child Support For Interstate Cases

Child support payments which are received by the Department on behalf of an initiating State shall be forwarded to the initiating State within two business days after from the date of initial receipt in this State.

(Source: Amended at 24 Ill. Reg. 38-08-7 effective FEB 25 2000)

Section 160.136 Distribution of Support Collected in IV-E Foster Care Maintenance Cases

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

- a) For purposes of distribution under this Section, amounts collected in IV-E foster care maintenance cases shall be treated in accordance with the provision of Section 160.100(a).

b) The amounts collected as support by the Department on behalf of children for whom the State is making IV-E foster care maintenance payments and for whom an assignment is effective shall be distributed as follows:

- Reimbursement of current IV-E foster care maintenance: The amount of child support that is collected in a month which represents payment on the required support obligation for that month shall be forwarded to DCS and retained by DCS to reimburse itself for IV-E foster care maintenance payments.
- Current excess: If the amount of child support collected in a month on behalf of a foster care dependent is in excess of the monthly amount of the IV-E foster care maintenance payment but not more than the monthly support obligation, the State Disbursement Unit Department shall pay within 15 business days after the end of the month in which the support was initially received date-of-initial-receipt in the State the excess to DCS which will use the money in the best interests of the child.
- Reimbursement of past IV-E foster care maintenance: If the amount of child support collected in a month on behalf of a foster care dependent exceeds the amount required to be distributed under subsections (b)(1) and (2) above, but not the total unreimbursed IV-E foster care maintenance payments or unreimbursed AFDC or TANF provided, the Department and DCS shall retain any such excess as reimbursement for these payments. If past assistance or IV-E foster care maintenance payments are greater than the total support obligation owed, the maximum amount the Department or DCS may retain as reimbursement for such payments is the amount of such obligation. If amounts are collected which represent the required support obligation for periods prior to the first month in which the family received AFDC, TANF or IV-E foster care maintenance payments, such amounts may be retained by the Department and DCS to reimburse the difference between such support obligation and such payments.
- Past excess: If the amount of child support collected in a month on behalf of a foster care dependent is in excess of the amount required to be distributed pursuant to subsections (b)(1) through (3), such excess shall be paid by the State Disbursement Unit within 15 business calendar days after the end of the month in which the support was initially received date-of-initial-receipt in the State to DCS and used in the best interests of the child.
- Future support: If an amount collected as support represents payment on the required support obligation for future months, the amount shall be applied to those future months. However no amounts shall be applied to future months unless amounts have

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

been collected which fully satisfy the support obligation assigned for the current and all past months.
c) When DCFS ceases making IV-E foster care maintenance payments, the assignment of support rights terminates except for the amount of any unpaid support that has accrued under the assignment. The Department shall attempt to collect such unpaid support. Any collection made by the Department under this subsection shall be distributed in accordance with subsection (b)(3) of this Section.

(Source: Amended 24 Ill. Reg. 3808 effective
FEB 25 2000)

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

- 1) **Heading of the Part:** Hospital Services
- 2) **Code Citation:** 89 Ill. Adm. Code 148
- 3) **Section Numbers:** Adopted Action:
148.295 Amendment
148.296 Amendment
148.298 Amendment
- 4) **Statutory Authority:** Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]
- 5) **Effective Date of Amendments:** February 25, 2000
- 6) **Does this rulemaking contain an automatic repeal date?** No
- 7) **Do these amendments contain incorporations by reference?** No
- 8) **A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.**
- 9) **Notice of Proposal Published in Illinois Register:** October 15, 1999 (23 Ill. Reg. 12576)
- 10) **Has JCAR issued a Statement of Objection to these amendments?** No
- 11) **Differences Between Proposal and Final Version:** The following changes have been made in the text of the proposed rulemaking.

Section 148.295

In the introductory statement, "unless otherwise noted in this Section," has been added after "Section 148.25 (b)(1)(A)",.

In subsection (e)(1)(B), "qualifying from this criteria" has been changed to "qualifying under this subsection (e)(1)(B)".

In subsection (e)(2)(B)(ii), "\$380" has been changed to "\$410".

In subsection (e)(2)(D)(v), "\$110" has been changed to "\$125".

A new subsection (e)(2)(F) has been added, that reads: "Hospitals that qualify under subsection (e)(1)(A)(iii) of this Section will have their rates multiplied by a factor of two."

No other substantive changes have been made in the text of the proposed amendments.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

13) Will these amendments replace emergency amendments currently in effect? Yes

14) Are there any other amendments pending on this Part? No

15) Summary and Purpose of Amendments: These amendments to the Department's administrative rules concerning hospital services are being adopted pursuant to the State's fiscal year 2000 budget implementation plan and the appropriations allowed under Public Act 91-0020. The amendments address the payment methodology for Critical Hospital Access Payments (CHAP) by sunsetting the Direct Hospital Adjustment (DHA) components of the CHAP program and the Supplemental CHAP program (SCHAP). Both the DHA component and SCHAP were replaced by a new DHA payment that was effective October 1, 1999, under related emergency amendments. The intent of these changes is to direct additional funding to hospitals that are providing a high volume of medical care, especially high volume general and obstetrical care, to Medicaid eligible and uninsured populations, and thereby improve access to essential medical services. These changes will assist in offsetting the costs of hospitals' uncompensated care, insuring that the State's neediest individuals continue to have access to quality health care services.

The amendments provide similar changes to the payment methodology for children's hospitals under Pediatric Inpatient Adjustment Payments by creating a new quarterly payment methodology. This adjustment payment program was also effective October 1, 1999, by way of a related emergency rulemaking. The purpose of these amendments is to insure that children with intense or chronic health problems continue to have ready access to appropriate health care. These amendments affecting hospital services are expected to result in an additional expenditure of approximately \$294.5 million during fiscal year 2000.

16) Information and questions regarding these adopted amendments shall be directed to:

Joanne Jones
Office of the General Counsel
Illinois Department of Public Aid
201 South Grand Avenue East, Third Floor
Springfield, Illinois 62763-0002
(217) 524-0081

The full text of the adopted amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER 1: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 148
HOSPITAL SERVICES

Section	
148.10	Hospital Services
148.20	Participation
148.25	Definitions and Applicability
148.30	General Requirements
148.40	Special Requirements
148.50	Covered Hospital Services
148.60	Services Not Covered as Hospital Services
148.70	Limitation On Hospital Services
148.80	Organ Transplant Services Covered Under Medicaid (Repealed)
148.82	Organ Transplant Services
148.90	Heart Transplants (Repealed)
148.100	Liver Transplants (Repealed)
148.110	Bone Marrow Transplants (Repealed)
148.120	Disproportionate Share Hospital (DSH) Adjustments
148.130	Outlier Adjustments for Exceptionally Costly Stays
148.140	Hospital Outpatient and Clinic Services
148.150	Public Law 103-66 Requirements
148.160	Payment Methodology for County-Owned Hospitals in an Illinois County with a Population of Over Three Million
148.170	Payment Methodology for Hospitals Organized Under the University of Illinois Hospital Act
148.175	Supplemental Disproportionate Share Payment Methodology for Hospitals Organized Under the Town Hospital Act
148.180	Payment for Pre-operative Days, Patient Specific Orders, and Services Which Can Be Performed in an Outpatient Setting
148.190	Copayments
148.200	Alternate Reimbursement Systems
148.210	Filing Cost Reports
148.220	Pre September 1, 1991 Admissions
148.230	Admissions Occurring on or after September 1, 1991
148.240	Utilization Review and Furnishing of Inpatient Hospital Services Directly or Under Arrangements
148.250	Determination of Alternate Payment Rates to Certain Exempt Hospitals
148.260	Calculation and Definitions of Inpatient Per Diem Rates
148.270	Determination of Alternate Cost Per Diem Rates for All Hospitals; Payment Rates for Certain Exempt Hospital Units; and Payment Rates for Certain Other Hospitals
148.280	Reimbursement Methodologies for Children's Hospitals and Hospitals Reimbursed Under Special Arrangements
148.285	Excellence in Academic Medicine Payments

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

148-290 Adjustments and Reductions to Total Payments
 148-295 Critical Hospital Adjustment Payment (CHAP)
 148-296 Supplemental Critical Hospital Adjustment Payments (SCHAP)
 148-297 Pediatric Outpatient Adjustment Payments
 148-298 Pediatric Inpatient Adjustment Payments
 148-300 Payment
 148-310 Review Procedure
 148-320 Alternatives
 148-330 Exemptions
 148-340 Subacute Alcoholism and Substance Abuse Treatment Services
 148-350 Definitions
 148-360 Types of Subacute Alcoholism and Substance Abuse Treatment Services
 148-366 Volume Adjustment (Repealed)
 148-370 Payment for Subacute Alcoholism and Substance Abuse Treatment Services
 148-380 Rate Appeals for Subacute Alcoholism and Substance Abuse Treatment Services
 148-390 Hearings
 148-400 Special Hospital Reporting Requirements

AUTHORITY: Implementing and authorized by Articles III, IV, V, VI, and Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V, VI and 12-13].

SOURCE: Sections 148.10 thru 148.390 recodified from 89 Ill. Adm. Code 140.94 thru 140.398 at 13 Ill. Reg. 9572; Section 148.120 recodified from 89 Ill. Adm. Code 140.110 at 13 Ill. Reg. 12118; amended at 14 Ill. Reg. 2553, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 11392, effective July 1, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 15358, effective September 13, 1990; amended at 14 Ill. Reg. 16988, effective October 4, 1990; amended at 14 Ill. Reg. 18293, effective October 30, 1990; amended at 14 Ill. Reg. 18499, effective November 8, 1990; emergency amendment at 15 Ill. Reg. 10502, effective July 1, 1991, for a maximum of 150 days; emergency expired October 29, 1991; emergency amendment at 15 Ill. Reg. 12005, effective August 9, 1991, for a maximum of 150 days; emergency expired January 6, 1992; emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 18684, effective December 23, 1991; amended at 16 Ill. Reg. 6255, effective March 27, 1992; emergency amendment at 16 Ill. Reg. 11335, effective June 30, 1992, for a maximum of 150 days; emergency expired November 27, 1992; emergency amendment at 16 Ill. Reg. 11942, effective July 10, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14778, effective October 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19873, effective December 7, 1992; amended at 17 Ill. Reg. 131, effective December 21, 1992; amended at 17 Ill. Reg. 3296, effective March 1, 1993; amended at 17 Ill. Reg. 6649, effective April 21, 1993; amended at 17 Ill. Reg. 14643, effective August 30, 1993; emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 3450, effective February 28, 1994; emergency amendment at 18

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Ill. Reg. 12853, effective August 2, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 14117, effective September 1, 1994; amended at 18 Ill. Reg. 17646, effective November 29, 1994; amended at 19 Ill. Reg. 1067, effective January 20, 1995; emergency amendment at 19 Ill. Reg. 3510, effective March 1, 1995, for a maximum of 150 days; emergency expired July 29, 1995; emergency amendment at 19 Ill. Reg. 6709, effective May 12, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10060, effective June 29, 1995; emergency amendment at 19 Ill. Reg. 10752, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13009, effective September 5, 1995; amended at 19 Ill. Reg. 16630, effective November 28, 1995; amended at 20 Ill. Reg. 872, effective December 29, 1995; amended at 20 Ill. Reg. 7912, effective May 31, 1996; emergency amendment at 20 Ill. Reg. 9281, effective July 1, 1996, for a maximum of 150 days; emergency amendment at 20 Ill. Reg. 12510, effective September 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 15722, effective November 27, 1996; amended at 20 Ill. Reg. 15722, effective November 27, 1996; amended at 21 Ill. Reg. 607, effective January 2, 1997; amended at 21 Ill. Reg. 8386, effective June 23, 1997; emergency amendment at 21 Ill. Reg. 9532, effective July 1, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 9822, effective July 2, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 10147, effective August 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 13349, effective September 23, 1997; emergency amendment at 21 Ill. Reg. 13675, effective September 27, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 16161, effective November 26, 1997; amended at 22 Ill. Reg. 1408, effective December 29, 1997; amended at 22 Ill. Reg. 3083, effective January 26, 1998; amended at 22 Ill. Reg. 11514, effective June 22, 1998; emergency amendment at 22 Ill. Reg. 13070, effective July 1, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 15027, effective August 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16273, effective August 28, 1998; amended at 22 Ill. Reg. 21490, effective November 25, 1998; amended at 23 Ill. Reg. 5784, effective April 30, 1999; amended at 23 Ill. Reg. 7115, effective June 1, 1999; amended at 23 Ill. Reg. 7908, effective June 30, 1999; emergency amendment at 23 Ill. Reg. 8213, effective July 1, 1999, for a maximum of 150 days; emergency amendment at 23 Ill. Reg. 12772, effective October 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 13621, effective November 1, 1999; amended at 24 Ill. Reg. 2400, effective February 25, 2000; amended at 24 Ill. Reg. 3845, effective FEB 25 2000.

Section 148.295 Critical Hospital Adjustment Payments (CHAP)

Critical Hospital Adjustment Payments (CHAP) shall be made to all eligible hospitals excluding county-owned hospitals, as described in Section 148.25 (b)(1)(A), unless otherwise noted in this Section, and hospitals organized under the University of Illinois Hospital Act, as described in Section 148.25(b)(1)(B), for inpatient admissions occurring on or after July 1, 1998, in accordance with this Section.

a) Trauma Center Adjustments (TCA)

The Department shall make a trauma center adjustment (TCA) to Illinois

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

hospitals recognized, as of the first test day of July in June preceding the CHAP rate period, as a Level I or Level II trauma center by the Illinois Department of Public Health (IDPH) in accordance with the provisions of subsections (a)(1) through (a)(3) below.

1) Level I trauma center adjustment (TCA).

A) Criteria. Illinois hospitals that, on the first test day of July in June preceding the CHAP rate period, are recognized as a Level I trauma center by the Illinois Department of Public Health shall receive the Level I trauma center adjustment.

B) Adjustment. Illinois hospitals meeting the criteria specified in subsection (a)(1)(A) above shall receive an adjustment as follows:

i) Hospitals with Medicaid trauma admissions equal to or greater than the mean Medicaid trauma admissions, for all hospitals qualifying under subsection (a)(1)(A) above, shall receive an adjustment of \$21,365 per Medicaid trauma admission in the CHAP base period.

ii) Hospitals with Medicaid trauma admissions less than the mean Medicaid trauma admissions, for all hospitals qualifying under subsection (a)(1)(A) above, shall receive an adjustment of \$14,165 per Medicaid trauma admission in the CHAP base period.

2) Level II Rural Trauma Center Adjustment (TCA). Illinois rural hospitals, as defined in Section 148.25(g)(3), that, on the first test day of July in June preceding the CHAP rate period, are recognized as a Level II trauma center by the Illinois Department of Public Health shall receive an adjustment of \$11,565 per Medicaid trauma admission in the CHAP base period.

3) Level II Urban Trauma Center Adjustment (TCA). Illinois urban hospitals, as described in Section 148.25(g)(4), that, on the first test day of July in June preceding the CHAP rate period, are recognized as a Level II trauma center by the Illinois Department of Public Health shall receive an adjustment of \$11,565 per Medicaid trauma admission in the CHAP base period, provided that such hospital meets the criteria described below:

A) The hospital is located in a county with no Level I trauma center; and

B) The hospital is located in a Health Professional Shortage Area (HPSA) (42 CFR 5), as of the first test day of July in June preceding the CHAP rate period, and has a Medicaid trauma admission percentage at or above the mean of the individual facility values determined in subsection (a)(3)(A) above; or the hospital is not located in a HPSA (42 CFR 5) and has a Medicaid trauma admission percentage that is at least the mean plus one standard deviation of the individual facility values determined in subsection (a)(3)(A) above.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

b) Rehabilitation Hospital Adjustment (RHA) Illinois hospitals that, on the first test day of July in June preceding the CHAP rate period, qualify as rehabilitation hospitals, as defined in 89 Ill. Adm. Code 149.50(c)(2), and that are accredited by the Commission on Accreditation of Rehabilitation Facilities (CARF), shall receive a rehabilitation hospital adjustment in the CHAP rate period that consists of the following three components:

1) Treatment Component. All hospitals defined in subsection (b) above shall receive \$4,595 per Medicaid Level I rehabilitation admission in the CHAP base period.

2) Facility Component. All hospitals defined in subsection (b) above shall receive a facility component that shall be based upon the number of Medicaid Level I rehabilitation admissions in the CHAP base period as follows:

A) Hospitals with fewer than 60 Medicaid Level I rehabilitation admissions in the CHAP base period shall receive a facility component of \$250,000 in the CHAP rate period.

B) Hospitals with 60 or more Medicaid Level I rehabilitation admissions in the CHAP base period shall receive a facility component of \$75,000 in the CHAP rate period.

3) Health Professional Shortage Area Adjustment Component. Hospitals defined in subsection (b) above, that are located in a Health Professional Shortage Area (HPSA) (42 CFR 5) as of the first test day of July in June preceding the CHAP rate period, shall receive \$300 per Medicaid Level I rehabilitation inpatient day in the CHAP base period.

c) Direct Hospital Adjustment (DHA) Criteria To qualify for the DHA under this subsection (c), hospitals must meet one of the following criteria.

1) Be an Illinois hospital located outside of Health Service Area (HSA) six that meets one of the following criteria:

A) Has a Medicaid inpatient utilization rate on the last day of June preceding the CHAP rate period, as defined in Section 148.120(k)(5), greater than 60 percent and has an average length of stay of less than ten days.

B) Is a major teaching hospital with 35 or more graduate medical education programs accredited by the American Osteopathic Association Division of Post-doctoral Training, or the American Dental Association Joint Commission on Dental Accreditation.

2) Be a hospital located in HSA six, excluding psychiatric and rehabilitation hospitals as defined in 89 Ill. Adm. Code 149.50(c)(1) and (c)(2), that meets one of the following criteria:

A) Is a hospital whose sum of the critical weighting factors is greater than one standard deviation above the mean of the summed critical weighting factors for all hospitals located

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

within the same planning area. The critical weighting factor is determined as follows:

- i) Hospitals that, on the last day of June preceding the CHAP rate period, are designated as a Level III, II, or I Perinatal Center by the Illinois Department of Public Health shall receive a critical weighting factor of 10, 7.5, or 5 respectively depending on the hospital's perinatal level designation.
- ii) Hospitals that, on the last day of June preceding the CHAP rate period, are recognized as a Level I or II Trauma Center by the Illinois Department of Public Health shall receive a critical weighting factor of ten or five respectively depending on the hospital's trauma level designation.
- iii) Hospitals that, on the last day of June preceding the CHAP rate period, are eligible for disproportionate share payments as described in Section 148.120(g)(1) or (g)(2) shall receive a critical weighting factor of five.
- iv) Hospitals that have an occupancy ratio, as determined by the Illinois Department of Public Health (IDPH), based upon the most current IDPH published report entitled "Bed Count, Average Length of Stay, Average Daily Census and Percent Occupancy for Non-Federal Hospitals in Illinois", which is available to the Illinois Department of Public Aid on the last day of June preceding the CHAP rate period, which is equal to or greater than the mean occupancy ratio for all hospitals in the planning area shall receive a critical weighting factor of five.
- v) Hospitals that which have Medicaid obstetrical care admissions in the CHAP base period and that are equal to or greater than one-half a standard deviation above the mean Medicaid obstetrical care admissions in their planning area shall receive a critical weighting factor of ten. If the hospital's Medicaid obstetrical care admissions are greater than the mean but less than one-half a standard deviation above the mean Medicaid obstetrical care admissions in their planning area, the hospital shall receive a critical weighting factor of five.
- vi) Hospitals that on the last day of June preceding the CHAP rate period have a Medicaid inpatient utilization rate as defined in Section 148.120(k)(5) which is equal to or greater than one-half a standard deviation above the mean Medicaid inpatient utilization rate in their planning area, shall receive a critical weighting factor of ten. If the hospital's Medicaid

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

inpatient utilization rate is greater than the mean but less than one-half a standard deviation above the mean Medicaid inpatient utilization rate in their planning area, the hospital shall receive a critical weighting factor of five.

- vii) Hospitals that which have Medicaid general care admissions in the CHAP base period and that are equal to or greater than one-half a standard deviation above the mean Medicaid general care admissions in their planning area shall receive a critical weighting factor of ten. If the hospital's Medicaid general care admissions are greater than the mean but less than one-half a standard deviation above the mean Medicaid general care admissions in their planning area, the hospital shall receive a critical weighting factor of five.
- viii) Hospitals which have a cost per day at 80 percent occupancy that is less than or equal to one-half a standard deviation below the mean cost per day at 80 percent occupancy in their planning area shall receive a critical weighting factor of ten. If the hospital's cost per day at 80 percent occupancy is greater than one-half a standard deviation below the mean cost per day at 80 percent occupancy but less than the mean cost per day at 80 percent occupancy in their planning area, the hospital shall receive a critical weighting factor of five.
- B) Is a major teaching hospital with 40 or more graduate medical education programs accredited by the American Accreditation Council for Graduate Medical Education, the American Osteopathic Association Division of Post-doctoral Training, or the American Dental Association Joint Commission on Dental Accreditation.
- C) Is a hospital with 3,200 or more total Medicaid admissions in the CHAP base period.
- 3) Be a hospital qualifying under subsection (c)(2) above that has the highest number of Medicaid obstetrical care admissions in the CHAP base period.
- 4) Be a hospital qualifying under subsection (c)(2) above that on the last day of June preceding the CHAP rate period, is designated as a Level III or II Perinatal Center by the Illinois Department of Public Health, and that has a Medicaid inpatient utilization rate, as defined in Section 148.120(k)(5), which is greater than one-half a standard deviation above the statewide mean Medicaid inpatient utilization rate, as defined in Section 148.120(k)(3), and that has at least one obstetrical graduate medical education program accredited by the American Accreditation Council for Graduate Medical Education, the

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

American Osteopathic Association Division of Post-doctoral Training, or the American Dental Association Joint Commission on Dental Accreditation.

- 5) Be a children's hospital, which means a hospital devoted exclusively to caring for children. A hospital which includes a facility devoted exclusively to caring for children that is separately licensed as a hospital by a municipality shall be considered a children's hospital to the degree that the hospital's Medicaid care is provided to children.

d) DHA Adjustment

Calculation of the DHA is as follows:

- 1) Hospitals qualifying under subsection (c)(1)(A) above shall receive a DHA of \$60 multiplied by the DHA Medicaid days in the CHAP base period.
- 2) Hospitals qualifying under subsection (c)(1)(B), (c)(2) or (c)(5) above shall receive a DHA of \$30 multiplied by the DHA Medicaid days in the CHAP base period.
- 3) Hospitals qualifying under subsection (c)(5) above which have a Medicaid inpatient utilization rate, as defined in Section 148.120(k)(5), on the last day of June preceding the CHAP rate period, that is greater than 85 percent shall receive an additional \$20 multiplied by the DHA Medicaid days in the CHAP base period.
- 4) Hospitals qualifying under subsection (c)(2)(B) above shall receive an additional \$10 multiplied by the DHA Medicaid days in the CHAP base period.
- 5) Hospitals qualifying under subsections (c)(2)(A) and (c)(2)(B) of this Section will receive an additional \$20 multiplied by DHA Medicaid days in the CHAP base period.

- 6) Hospitals qualifying under subsection (c)(3) or (c)(4) above shall receive an additional \$120 multiplied by the DHA Medicaid days in the CHAP base period if their Medicaid inpatient utilization rate, as defined in Section 148.120(k)(5), on the last day of June preceding the CHAP rate period, is equal to or greater than 50 percent; or \$65 multiplied by the DHA Medicaid days in the CHAP base period if their Medicaid inpatient utilization rate, as defined in Section 148.120(k)(5), on the last day of June preceding the CHAP rate period, is less than 50 percent.

- 7) Payments calculated according to the methodology in this subsection (d) shall end on September 30, 1999.

e) Direct Hospital Adjustment (DHA) Criteria

1) Qualifying Criteria

Hospitals may qualify for the DHA under this subsection (e) under the following categories:

- A) Except for hospitals operated by the University of Illinois, children's hospitals, psychiatric hospitals, rehabilitation hospitals and long term stay hospitals, all other hospitals

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

located in Health Service Area (HSA) 6 that either:
 ii) were eligible for Direct Hospital Adjustments under the CHAP program as of July 1, 1999, and had a Medicaid inpatient utilization rate (MIUR) equal to or greater than the statewide mean in Illinois on July 1, 1999;

- iii) were eligible under the Supplemental Critical Hospital Adjustment Payment (SCHAP) program as of July 1, 1999, and had a MIUR equal to or greater than the statewide mean in Illinois on July 1, 1999; or

- iii) were county owned hospitals as defined in 89 Ill. Adm. Code 148.25(b)(1)(A), and had a MIUR equal to or greater than the statewide mean in Illinois on July 1, 1999.

- B) Hospitals located outside of HSA 6 that had a MIUR greater than 60 percent on July 1, 1999, and an average length of stay less than ten days. The following hospitals are excluded from qualifying under this subsection (e)(1)(B): children's hospitals; psychiatric hospitals; rehabilitation hospitals; and long term stay hospitals.

- C) Children's hospitals, as defined under Section 149.50(c)(3), on July 1, 1999.

- D) Teaching hospitals with more than 40 graduate medical education programs, on July 1, 1999, not qualifying in Subsections (e)(1)(A), (B), or (C) above.

2) DHA Rates

- A) For hospitals qualifying under subsection (e)(1)(A) above, the DHA rates are as follows:

- 1) Hospitals that have a Combined MIUR that is equal to or greater than the Statewide mean Combined MIUR, but less than one standard deviation above the Statewide mean Combined MIUR, will receive \$20 per day for hospitals that do not provide obstetrical care and \$15 per day for hospitals that do provide obstetrical care.

- ii) Hospital that have a Combined MIUR that is equal to or greater than one standard deviation above the Statewide mean Combined MIUR, but less than one and one-half standard deviation above the Statewide mean Combined MIUR, will receive \$10 per day for hospitals that do not provide obstetrical care, and \$15 per day for hospitals that do provide obstetrical care.

- iii) Hospitals that have a Combined MIUR that is equal to or greater than one and one-half standard deviation above the Statewide mean Combined MIUR, but less than two standard deviations above the Statewide mean Combined MIUR, will receive \$80 per day for hospitals that do not provide obstetrical care, and \$175 per day

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

- for hospitals that do provide obstetrical care.
- iv) Hospitals that have a Combined MIUR that is equal to or greater than two standard deviations above the Statewide mean Combined MIUR will receive \$100 per day for hospitals that do not provide obstetrical care, and \$195 per day for hospitals that do provide obstetrical care.
- B) Hospitals qualifying under subsection (e)(1)(A) above, will also receive the following rates:
- i) Hospitals with more than 30,000 Total days will have their rate increased by \$265 per day.
 - ii) Hospitals with more than 80,000 Total days will have their rate increased by an additional \$410 per day.
 - iii) Hospitals with more than 4,500 Obstetrical days will have their rate increased by \$110 per day.
 - iv) Hospitals with more than 5,500 Obstetrical days will have their rate increased by an additional \$375 per day.
 - v) Hospitals with an MIUR rate greater than 74 percent will have their rate increased by \$160 per day.
 - vi) Hospitals with an average length of stay less than 3.9 days will have their rate increased by \$45 per day.
- C) Hospitals qualifying under subsection (e)(1)(B) above will receive the following rates:
- i) Qualifying hospitals will receive a rate of \$330 per day.
 - ii) Qualifying hospitals with the more than 1,500 Obstetrical days will have their rate increased by \$225 per day.
- D) Hospitals qualifying under subsection (e)(1)(C) above will receive the following rates:
- i) Hospitals will receive a rate of \$30 per day.
 - ii) Hospitals located in Illinois and outside of HSA 6, that have a Medicaid inpatient utilization rate greater than 60 percent, will have their rate increased by \$60 per day.
 - iii) Hospitals located in Illinois and inside HSA 6, that have a Medicaid inpatient utilization rate greater than 80 percent, will have their rate increased by \$210 per day.
 - iv) Hospitals that are not located in Illinois that have a Medicaid inpatient utilization rate greater than 45 percent will have their rate increased by \$35 per day.
 - v) Hospitals with more than 3,200 Total admissions will have their rate increased by \$125 per day.
- E) Hospitals qualifying under subsection (e)(1)(D) of this Section will receive the following rates:
- i) Hospitals will receive a rate of \$45 per day.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

- ii) Hospitals with a MIUR between 18 percent and 19.75 percent will have their rate increased by an additional \$15 per day.
 - iii) Hospitals with a MIUR equal to or greater than 19.75 percent will have their rate increased by an additional \$50 per day.
- F) Hospitals that qualify under subsection (e)(1)(A)(iii) above will have their rates multiplied by a factor of two.
- 3) DIA Payments
- A) Payments under this subsection (e) will be made at least quarterly, beginning with the quarter ending December 31, 1999.
 - B) Payment rates will be multiplied by the Total days.
 - C) Total Payment Adjustments
 - i) For the CHAP rate period occurring in State fiscal year 2000, total payments will equal the methodologies described above, less the amount the hospital received under DHA and SCHAP for the quarter beginning July 1, 1999. For hospitals not qualifying for CHAP, DHA and SCHAP payments for the quarter ending September 30, 1999, total payments will equal the methodologies described above.
 - ii) For CHAP rate periods occurring after State fiscal year 2000, total payments will equal the methodologies described above.
- f) Rural Critical Hospital Adjustment Payments (RCHAP)
- Rural Critical Hospital Adjustment Payments (RCHAP) shall be made to rural hospitals, as described in 89 Ill. Adm. Code 140.80(j)(1), for certain inpatient admissions. The hospital qualifying under this subsection that has the highest number of Medicaid obstetrical care admissions during the CHAP base period shall receive \$400,000 per year. The Department shall also make a RCHAP adjustment payment to hospitals qualifying under this subsection at a rate that is the greater of:
- 1) the product of \$1,490 multiplied by the number of Obstetrical Care Admissions in the CHAP base period, or
 - 2) the product of \$150 multiplied by the number of RCHAP General Care Admissions in the CHAP base period.
- g) Each eligible hospital's critical hospital adjustment payment for the CHAP rate period shall equal the sum of the amounts described in subsections (a), (b), (d) and (f) above. The critical hospital adjustment payments shall be paid to eligible hospitals on a quarterly basis.
- h) Critical Hospital Adjustment Limitations
- Hospitals that qualify for trauma center adjustments under subsection (a), shall not be eligible for the total trauma center adjustment if, during the CHAP rate period, the hospital is no longer recognized by the Illinois Department of Public Health as a Level I trauma center as

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

required for the adjustment described in subsection (a)(1) above, or a Level II trauma center as required for the adjustment described in subsection (a)(2) or (a)(3) above. In these instances, the adjustments calculated shall be pro-rated, as applicable, based upon the date that such recognition ceased.

1) In order to maintain critical hospital access, the Department shall make an additional one time CHAP payment in fiscal year 1999 to hospitals that meet one of the following:

1) A hospital located in HSA six, with a sum critical weighting factor equal to or greater than 37.5 that has an MIUR as defined in Section 148.120(k)(5) that is equal to or greater than 60 percent. Such a hospital shall receive \$10.50 multiplied by the DHA Medicaid days in the CHAP base period.

2) A hospital qualifying under subsection (c)(1)(A) of this Section with the highest number of Medicaid obstetrical care admissions in the CHAP base period. Such a hospital shall receive \$59 multiplied by the DHA Medicaid days in the CHAP base period.

1)†† Critical Hospital Adjustment Payment Definitions
The definitions of terms used with reference to calculation of the CHAP required by this Section are as follows:

1) "CHAP base period" means State Fiscal Year 1994 for CHAP payments calculated for the July 1, 1995, CHAP rate period; State Fiscal Year 1995 for CHAP payments calculated for the July 1, 1996, CHAP rate period; etc.

2) "CHAP rate period" means, beginning July 1, 1995, the 12 month period beginning on July 1 of the year and ending June 30 of the following year.

3) "Combined MIUR" means the sum of Medicaid Inpatient Utilization Rate (MIUR) as of July 1, 1999, and as defined in Section 148.120(k)(5), plus the Medicaid obstetrical inpatient utilization rate as described in Section 148.120(k)(6).

4)†† "Cost per day at 80 percent occupancy" means the estimated inpatient cost per day had the hospital been operating at an 80 percent occupancy rate.

5)†† "Medicaid general care admission" means hospital inpatient admissions which were subsequently adjudicated by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, for recipients of medical assistance under Title XIX of the Social Security Act, excluding admissions for normal newborns, Medicare/Medicaid crossover admissions, psychiatric and rehabilitation admissions.

6)†† "Medicaid inpatient day" means hospital inpatient days which were subsequently adjudicated by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, for recipients of medical assistance under Title XIX of the Social Security Act, excluding days for normal newborns and Medicare/Medicaid crossover days.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

7)†† "Medicaid Level I rehabilitation admissions" means those claims billed as Level I admissions which were subsequently adjudicated by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, with an occurrence code of 63 when applicable and an ICD-9-CM principal diagnosis code of: 054.3, 310.1 through 310.2, 320.1, 336.0 through 336.9, 344.0 through 344.2, 344.8 through 344.9, 348.1, 801.30, 803.10, 803.84, 806.0 through 806.19, 806.20 through 806.24, 806.26, 806.29 through 806.34, 806.36, 806.4 through 806.5, 851.06, 851.80, 853.05, 854.0 through 854.04, 854.06, 854.1 through 854.14, 854.16, 854.19, 905.0, 907.0, 907.2, 952.0 through 952.09, 952.10 through 952.16, 952.2, and V57.0 through V57.89, excluding admissions for normal newborns.

8)†† "Medicaid Level I rehabilitation inpatient day" means the days associated with the claims defined in subsection (1)(7) ††††† above.

9)†† "Medicaid obstetrical care admission" means hospital inpatient admissions which were subsequently adjudicated by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, for recipients of medical assistance under Title XIX of Social Security Act, with an ICD-9-CM principal diagnosis code of 640.0 through 648.9 with a 5th digit of 1 or 2; 650; 651.0 through 659.9 with a 5th digit of 1, 2, 3, or 4; 660.0 through 669.9 with a 5th digit of 1, 2, 3, or 4; 670.0 through 676.9 with a 5th digit of 1 or 2; or V27 through V27.9; or V30 through V39.9; or any ICD-9-CM principal diagnosis code that is accompanied with a surgery procedure code between 72 and 75.99; and specifically excludes Medicare/Medicaid crossover claims.

10)†† "Medicaid psychiatric days", as used in subsection (1)(21) ††††† below, means hospital inpatient days for the Supplemental CHAP base that are billed to the Department with a category of service 21.

11)†† "Medicaid rehabilitation days", as used in subsection (1)(21) ††††† below, means hospital inpatient days for the Supplemental CHAP base that are billed to the Department with a category of service 22.

12)†† "Medicaid trauma admission" means those claims billed as admissions which were subsequently adjudicated by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, with an ICD-9-CM principal diagnosis code of: 800.0 through 800.99, 801.0 through 801.99, 802.0 through 802.99, 803.0 through 803.99, 804.0 through 804.99, 805.0 through 805.99, 806.0 through 806.99, 807.0 through 807.69, 808.0 through 808.9, 809.0 through 809.1, 826.0 through 828.1, 839.0 through 839.3, 839.7 through 839.9, 850.0 through 850.9, 851.0 through 851.99, 852.0 through 852.59,

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

853.0 through 854.19, 854.0 through 854.19, 860.0 through 860.5, 861.0 through 861.32, 862.8, 863.0 through 863.99, 864.0 through 864.19, 865.0 through 865.19, 866.0 through 866.13, 867.0 through 867.9, 868.0 through 868.19, 869.0 through 869.1, 887.0 through 887.9, 896.0 through 896.3, 897.0 through 897.7, 900.0 through 900.9, 902.0 through 904.9, 925, 926.8, 929.0 through 929.99, 958.4, 958.5, 990 through 994.99. For those hospitals recognized as Level I trauma centers solely for pediatric trauma cases, Medicaid trauma admissions are only calculated for the claims billed as admissions, excluding admissions for normal newborns, which were subsequently adjudicated by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, with ICD-9-CM diagnoses within the above ranges for children under the age of 18 excluding admissions for normal newborns.

13)137 "Medicaid trauma admission percentage" means a fraction, the numerator of which is the hospital's Medicaid trauma admissions and the denominator of which is the total Medicaid trauma admissions in a given 12 month period for all Level II urban trauma centers.

14)137 "RCHAP general care admission" means Medicaid General Care Admissions, as defined in subsection (j)(5) of 370 above, less RCHAP Obstetrical Care Admissions, occurring in the CHAP base period.

15)147 "RCHAP obstetrical care admissions" means Medicaid General Care Admissions, as defined in subsection (j)(5) of 370 above, with a Diagnosis Related Group (DRG) of 370 through 375, occurring in the CHAP base period.

16) "Total admissions" means total paid admission contained in the Department's paid claims database, including obstetrical admissions multiplied by two and excluding Medicare crossover admissions, for dates of service occurring in State fiscal year 1998 and adjudicated through June 30, 1999.

17) "Total days" means total paid days contained in the Department's paid claims database, including obstetrical days multiplied by two and excluding Medicare crossover days, for dates of service occurring in State fiscal year 1998 and adjudicated through June 30, 1999.

18) "Total obstetrical days" means hospital inpatient days for dates of service occurring in State fiscal year 1998 and adjudicated through June 30, 1999, with an ICD-9-CM principal diagnosis code of 640.0 through 648.9 with a 5th digit of 1, 2, 3, or 4; 650.0 through 659.9 with a 5th digit of 1, 2, 3, or 4; 660.0 through 676.9 with a 5th digit of 1, 2, 3, or 4; 670.0 through 676.9 with a 5th digit of 1 or 2; V27 through V27.97 V30 through V39.37 or any ICD-9-CM principal diagnosis code that is accompanied with a surgery procedure code between 72 and 75.99; and specifically excludes Medicare/Medicaid crossover claims.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

19)157 "Total Medicaid admissions" means hospital inpatient admissions for the CHAP base period for recipients of medical assistance under title XIX of the Social Security Act, excluding admissions for normal newborns and Medicare/Medicaid crossover admissions.

20)167 "Total Medicaid days" means hospital inpatient days for the CHAP base period for recipients of medical assistance under title XIX of the Social Security Act, excluding days for normal newborns and Medicare/Medicaid crossover admissions.

21)177 "DMA Medicaid days" means total Medicaid days that include Medicaid psychiatric days and Medicaid rehabilitation days for the CHAP base period multiplied by a factor of two.

(Source: Amended at 24 Ill. Reg. 3845 effective FEB 25 2000)

Section 148-296 Supplemental Critical Hospital Adjustment Payments (SCHAP)

Supplemental Critical Hospital Adjustment Payments (SCHAP) shall be made to all eligible hospitals excluding county-owned hospitals, as described in Section 148.25(b)(1)(A), hospitals organized under the University of Illinois Hospital Act, as described in Section 148.25(b)(1)(B), hospitals described in 89 Ill. Adm. Code 149-50(c)(1), (c)(2) or (c)(4), and hospitals described in Section 148.120(a)(5) not meeting the criteria in subsection (a)(3) or (a)(6) below, for inpatient admissions occurring on or after July 1, 1998, in accordance with this Section.

a) To qualify for payments under this Section, a hospital must be located in Health Service Area (HSA) 6 or HSA 11 and satisfy one of the following criteria during the Supplemental CHAP base period:

1) A hospital's:

- Medicaid obstetrical care admissions are greater than or equal to the mean number of Medicaid obstetrical care admissions for all hospitals located within the same health facilities planning area,
- Total critical weighting factor is greater than or equal to the mean total critical weighting factors of all hospitals located within the same HSA, and
- Medicaid inpatient utilization rate (MIUR) is greater than or equal to the mean MIUR of all hospitals located within the same HSA.

2) A hospital has:

- 3900 or more total Medicaid admissions,
 - an occupancy percentage rate greater than the mean occupancy percentage rate, as defined by the Department of Public Health, of all hospitals within the same HSA, and
 - an MIUR greater than or equal to 50 percent.
- 3) A hospital is a children's hospital, as defined in Section 148.120(a)(5), and has an MIUR greater than or equal to 80

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

- percent.
- 4) A hospital is located in a health facilities planning area where all hospitals also are located in a Health Professional Shortage Area (HPSA), as designated in the Federal Register for the Supplemental CHAP base period, and has the greatest number of Medicaid obstetrical care admissions among all hospitals within that same health facilities planning area.
 - 5) A hospital provides at least 900 Medicaid obstetrical admissions and possesses an MIUR that is greater than or equal to 70 percent.
 - 6) A hospital has an MIUR that is greater than or equal to 75 percent.
 - 7) A hospital with a level II perinatal center with an average length of stay that is less than 4.6 days and a cost to day ratio of \$650 or less, as described in Section 148.295(c)(2)(A)(viii).
 - 8) A children's hospital, as described at 89 Ill. Adm. Code 149.50(c)(3) with 4500 or more total Medicaid admissions during the Supplemental CHAP base period.
- b) The Department will make payments during the CHAP rate period to qualifying SCHAP hospitals under the following methodology.
- 1) For hospitals qualifying under subsection (a)(1) above that are located in HSA 6, the payment shall equal the product of the total Medicaid admissions multiplied by:
 - A) \$620 for hospitals that:
 - i) have an MIUR that is greater than or equal to one standard deviation above the mean MIUR of all hospitals within HSA 6, and
 - ii) have a total critical weighting factor that is greater than or equal to one standard deviation above the mean of the total critical weighting factor for all hospitals within HSA 6.
 - B) \$615 for hospitals that:
 - i) have an MIUR that is greater than or equal to one-half standard deviation, but less than one standard deviation, above the mean MIUR of all hospitals within HSA 6, and
 - ii) have a total critical weighting factor that is greater than or equal to one-half standard deviation, but less than one standard deviation, above the mean total critical weighting factor of all hospitals within HSA 6.
 - C) \$610 for hospitals that:
 - i) have an MIUR that is greater than or equal to, but less than one-half standard deviation above, the mean MIUR of all hospitals within HSA 6, and
 - ii) have a total critical weighting factor that is greater than or equal to, but less than one-half standard deviation above, the mean total critical weighting factor of all hospitals within HSA 6.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

- factor of all hospitals within HSA 6.
- 2) For hospitals qualifying under subsection (a)(1) above that are located in HSA 11, the payment shall equal the product of the total Medicaid admissions multiplied by:
 - A) \$835 for hospitals that:
 - i) have an MIUR that is greater than or equal to one standard deviation above the mean MIUR of all hospitals within HSA 11, and
 - ii) have a total critical weighting factor that is greater than or equal to one standard deviation above the mean of the total critical weighting factor for all hospitals within HSA 11.
 - B) \$775 for hospitals that:
 - i) have an MIUR that is greater than or equal to one-half standard deviation, but less than one standard deviation, above the mean MIUR of all hospitals within HSA 11, and
 - ii) have a total critical weighting factor that is greater than or equal to one-half standard deviation, but less than one standard deviation, above the mean total critical weighting factor of all hospitals within HSA 11.
 - C) \$700 for hospitals that:
 - i) have an MIUR that is greater than or equal to, but less than one-half standard deviation above, the mean MIUR of all hospitals within HSA 11, and
 - ii) have a total critical weighting factor that is greater than or equal to, but less than one-half standard deviation above, the mean total critical weighting factor of all hospitals within HSA 11.
 - 3) For hospitals qualifying under subsection (a)(2) above, the payment shall equal the product of the total Medicaid admissions multiplied by \$375.
 - 4) For hospitals qualifying under subsection (a)(3) above, the payment shall equal the product of the total Medicaid days multiplied by \$125.
 - 5) For hospitals qualifying under subsection (a)(4) above, the payment shall equal the product of the total Medicaid days multiplied by \$99.50.
 - 6) For hospitals qualifying under subsection (a)(5) above and located in HSA 6, the payment shall equal the product of the total Medicaid admissions multiplied by \$875.
 - 7) For hospitals qualifying under subsection (a)(5) above and located in HSA 11, the payment shall equal the product of the total Medicaid admissions multiplied by \$835.
 - 8) For hospitals qualifying under subsection (a)(6) above and located in HSA 6, the payment shall equal the product of the total Medicaid admissions multiplied by \$420.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

- 9) For hospitals qualifying under subsection (a)(6) above and located in HSA 11, the payment shall equal the product of the total Medicaid admissions multiplied by \$400.
- c) A hospital may only receive payments under one of the payment methodologies described in subsection (b) above. In the event that a hospital qualifies under more than one criterion under subsection (a) of this Section, the Department will reimburse the hospital using the payment methodology that allows the largest payment.
- d) For any hospital that meets any of the payment criteria under subsection (b) above, the Department will increase the SCHAP payment if, during the Supplemental CHAP base period, a hospital meets either or both of the conditions under subsection (d)(1) or (d)(2) below.
- 1) A hospital has:
 - A) Medicaid obstetrical care admissions greater than or equal to the mean number of Medicaid obstetrical care admissions of all hospitals located in the qualifying hospital's HSA,
 - B) a total critical weighting factor that is greater than or equal to the mean total critical weighting factor of all hospitals located in the qualifying hospital's HSA, and
 - C) an MIUR greater than or equal to the mean MIUR of all hospitals located in the qualifying hospital's HSA.
 - 2) A hospital has an MIUR greater than or equal to 70 percent.
- e) Additional SCHAP payments shall be paid under the following methodologies:

- 1) For hospitals qualifying under subsection (d)(1) above and located in HSA 6, the payment shall equal the product of \$40 multiplied by the hospital's total SCHAP admissions.
 - 2) For hospitals qualifying under subsection (d)(1) above and located in HSA 11, the payment shall equal the product of \$405 multiplied by the hospital's total SCHAP admissions.
 - 3) For hospitals qualifying under subsection (d)(2) above and located in HSA 6, the payment shall equal the product of \$185 multiplied by the hospital's total SCHAP admissions.
 - 4) For hospitals qualifying under subsection (d)(2) above and located in HSA 11, the payment shall equal the product of \$330 multiplied by the hospital's total SCHAP admissions.
 - 5) For hospitals qualifying under subsection (a)(7) above, an additional payment shall be made that equals the product of \$150 multiplied by the number of DHA days in the Supplemental CHAP base period.
 - 6) For hospitals qualifying under subsection (a)(8) above, an additional payment shall be made that equals the product of \$435 multiplied by the total Medicaid admissions in the Supplemental CHAP base period.
- f) Payments in this Section 148.296 shall end on September 30, 1999.
- g) SCHAP payments under this Section shall be paid on a quarterly basis.
- h) Definitions:
- 1) "Supplemental CHAP base period" means services provided during

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

- State Fiscal Year 1995 and adjudicated by the Department by June 30, 1996.
- 2) "CHAP rate period", as used in this Section, has the same meaning as defined in Section 148.295(j)(4)(2).
 - 3) "Medicaid Inpatient Utilization Rate (MIUR)", as used in this Section, has the same meaning as defined in Section 148.120(k)(5), in effect for the rate period October 1, 1996, through September 30, 1997.
 - 4) "Medicaid obstetrical care admissions", as used in this Section, has the same meaning as defined in Section 148.295(j)(9)(4)(4)(f) for the Supplemental CHAP base period.
 - 5) "Medicaid psychiatric admissions", as used in subsection (d)(9)(10) below, means hospital inpatient admissions for the Supplemental CHAP base that are billed to the Department with a category of service 21.
 - 6) "Medicaid rehabilitation admissions", as used in subsection (d)(9)(10) below, means hospital inpatient admissions for the Supplemental CHAP base that are billed to the Department with a category of service 22.
 - 7) "Total critical weighting factor", as used in this Section, has the same meaning as "sum of the critical weighting factors" as defined in Section 148.295(c)(2)(A) for the Supplemental CHAP base period.
 - 8) "Total Medicaid admissions" means hospital inpatient admissions for the Supplemental CHAP base period for recipients of medical assistance under Title XIX of the Social Security Act, excluding admissions for normal newborns and Medicare/Medicaid crossover admissions.
 - 9) "Total Medicaid days" means hospital days for the Supplemental CHAP base period for recipients of medical assistance under Title XIX of the Social Security Act, excluding days for normal newborns and Medicare/Medicaid crossover days.
 - 10) "Total SCHAP admissions" means total Medicaid admissions that include Medicaid psychiatric admissions and Medicaid rehabilitation admissions for the Supplemental CHAP base period multiplied by a factor of two.

(Source: Amended at 24 Ill. Reg. 3845, effective 11/25/2000)

Section 148.298 Pediatric Inpatient Adjustment Payments

Pediatric Inpatient Adjustment Payments shall be made, on a quarterly basis, to all eligible hospitals excluding county-owned hospitals, as described in Section 148.25(b)(1)(A), and hospitals organized under the University of Illinois Hospital Act, as described in Section 148.25(b)(1)(B), for inpatient services occurring on or after July 1, 1998, in accordance with this Section.

a) To qualify for payments under this subsection (a) Section, a hospital

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

must be a children's hospital, as defined in 89 Ill. Adm. Code 149.50(c)(3), that was licensed by a municipality on or before December 31, 1997. Hospitals qualifying under this subsection **Section** shall receive an adjustment for inpatient services equal to the product of the hospital's psychiatric and physical rehabilitation days, provided to children under 18 years of age during the adjustment base year, multiplied by \$80 per day. Payments under this subsection will be based on the following methodology:

1) The calculation under this subsection (a) of **this--Section** may not exceed more than 950 days.

2) For the purposes of calculating payments under this subsection (a) **Section**, the adjustment base year shall be psychiatric and physical rehabilitation days of care provided by the portion of the hospital that the Department does not recognize as a children's hospital. Such days include those provided in State fiscal year 1997 and adjudicated by the Department through March 31, 1998.

b) In addition to the payments described under subsection (a) above, any children's hospital, as defined in 89 Ill. Adm. Code 149.50(c)(3), will receive an additional adjustment equal to the product of the hospital's total paid days, excluding Medicare crossover claims, multiplied by \$123.50 per day. Such days include those provided in State fiscal year 1999 and adjudicated by the Department through May 31, 1999.

c) For the rate year occurring in State fiscal year 2000, total payments made under subsection (b) above will be made in three equal payments beginning with the quarter ending December 31, 1999.

d) For rate years occurring after State fiscal year 2000, total payments made under subsection (b) above will be made in four equal payments.

(Source: Amended at 24 Ill. Reg. 3845 effective 5-18-2000)

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Payment of Taxes by Electronic Funds Transfer

2) Code Citation: 86 Ill. Adm. Code 750

3) Section Numbers: Adopted Action:
750.400 Amendment

4) Statutory Authority: 35 ILCS 120

5) Effective Date of Amendment(s): February 28, 2000

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: November 12, 1999, 23 Ill. Reg. 13535

10) Has JCER issued a Statement of Objection to these amendments? No

11) Differences between proposal and final version: The only changes made were the ones agreed upon with JCER. The changes made were grammar and punctuation or technical. No substantive changes were made.

12) Have all the changes agreed upon by the agency and JCER been made as indicated in the agreement letter issued by JCER? Yes

13) Will this amendment replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments: This rulemaking will allow service groups or other agents of taxpayers to submit, on behalf of taxpayers, authorization agreements to make tax payments through the use of electronic funds transfer. The service groups or other agents must obtain a Power of Attorney from each of those taxpayers and retain them in their books and records.

16) Information and questions regarding this adopted amendment shall be directed to:

Terry D. Charlton
Associate Counsel
Illinois Department of Revenue

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

Legal Services Office
101 West Jefferson
Springfield, Illinois 62794
Phone: (217) 782-6996

The full text of the adopted amendments begins on the next page:

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUE

PART 750

PAYMENT OF TAXES BY ELECTRONIC FUNDS TRANSFER

Section

750.100 Scope of the Program and Rules

750.200 Definitions

750.300 Payments Required to be Paid by Electronic Funds Transfer

750.400 Eligibility Determination and Taxpayer Notification

750.500 Voluntary Program Participation

750.600 Methods of Electronic Funds Transfer Payment

750.700 Payment Transmission Errors

750.800 Department Notification Requirement

750.900 Due Date; General Provisions

AUTHORITY: Implementing and authorized by the Retailers' Occupation Tax Act [35 ILCS 120].

SOURCE: Adopted at 17 Ill. Reg. 18132, effective October 4, 1993; amended at 18 Ill. Reg. 15612, effective October 11, 1994; amended at 20 Ill. Reg. 9111, effective July 2, 1996; amended at 22 Ill. Reg. 10904, effective June 8, 1998; amended at 23 Ill. Reg. 5847, effective May 3, 1999; amended at 24 Ill. Reg.

3867 effective ~~FFR 28 2000~~

Section 750.400 Eligibility Determination and Taxpayer Notification

Beginning in 1993, before August 1, the Department shall notify all taxpayers required to make payments by electronic funds transfer. For all years after 1993, the Department will notify, before August 1, only those taxpayers who become required to make payments by electronic funds transfer. All taxpayers required to make payments by electronic funds transfer, and all taxpayers accepted for voluntary participation in the program, must complete an authorization agreement for electronic funds transfer (Department Form EFT-1). Taxpayers who use service groups or other agents to make tax payments remain responsible for completing the authorization agreement. Service groups or other agents may submit authorization agreements on behalf of taxpayers who have executed a valid Power of Attorney for Electronic Processing. Department Form IL-2848-E, authorizing those service groups or other agents to complete the authorization agreements and to make tax payments through the use of electronic funds transfer on behalf of those taxpayers. However, all service groups or agents submitting authorization agreements on behalf of taxpayers must retain in their books and records a valid Power of Attorney for Electronic Processing. Department Form IL-2848-E, for each taxpayer that authorizes the service group or other agents to complete the electronic funds transfer authorization, EFT-1, on behalf of those taxpayers. All service groups or other agents that are required to retain the Powers of Attorney under this

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

Section shall make those Powers of Attorney available to the Department upon request of the Department. ~~Service--groups--or--agents--may--not--sign--the~~
~~authorized--agreements--on--behalf--of--taxpayers.~~ All taxpayers required or permitted to make payments by electronic funds transfer shall make such payments for a minimum of one year beginning on October 1.

(Source: Amended at 24 Ill. Reg. 3867, effective
FEB 26 2000)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

1) Heading of the Part: Food Stamps

2) Code Citation: 89 Ill. Adm. Code 121

3) Section Numbers: Emergency Action:
 121.90 Repeal Section
 121.91 Repeal Section
 121.92 Amendment
 121.145 Amendment

4) Statutory Authority: Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code (305 ILCS 5/12-4.4 through 12-4.6 and 12-13).

5) Effective Date of Amendments: March 1, 2000

6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: NA

7) Date filed with the Index Department: February 24, 2000

8) A copy of the emergency amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Reason for Emergency: This rulemaking will benefit clients. They will only have to report income four times a year instead of monthly. This will greatly help clients plan income and expenditures as there will no longer be monthly fluctuations. The earlier this rulemaking can go into effect, the earlier clients may experience its beneficial aspects.

10) A Complete Description of the Subject and Issues Involved: The Department was granted permission by the Food and Nutrition Service to expand the use of quarterly reporting for all food stamp households with earnings or with a member who lost a job in the last three months. Including all earned income households in the quarterly reporting system will simplify procedures for staff and clients. Monthly reporting will no longer be used.

11) Are there any other amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
121.19-184	Amendment	12029 10/08/99
121.63	Amendment	13319 11/05/99
121.60-64	Amendment	13186 10/29/99
121.18	Amendment	13970 11/29/99

12) Statement of Statewide Policy Objectives (if applicable): This rulemaking

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

does not create or expand a State mandate

13) Information and questions regarding this amendment shall be directed to:

Ms. Susan Weir, Bureau Chief
Bureau Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
3rd Floor Harris Bldg.
Springfield, Illinois 62762
(217) 785-9772

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

The full text of the Emergency Amendments begins on the next page:

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 121
FOOD STAMPS

SUBPART A: APPLICATION PROCEDURES

Section

- 121.1 Application for Assistance
- 121.2 Time Limitations on the Disposition of an Application
- 121.3 Approval of an Application and Initial Authorization of Assistance
- 121.4 Denial of an Application
- 121.5 Client Cooperation
- 121.6 Emergency Assistance
- 121.7 Expedited Services
- 121.10 Interviews

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section

- 121.18 Work Requirement
- 121.19 Ending a Voluntary Quit Disqualification
- 121.20 Citizenship
- 121.21 Residence
- 121.22 Social Security Numbers
- 121.23 Work Registration/Participation Requirements
- 121.24 Individuals Exempt From Work Registration Requirements
- 121.25 Failure to Comply
- 121.26 Period of Sanction
- 121.27 Voluntary Job Quit
- 121.28 Good Cause for Voluntary Job Quit
- 121.29 Exemptions from Voluntary Quit Rule

SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Section

- 121.30 Unearned Income
- 121.31 Exempt Unearned Income
- 121.32 Education Benefits
- 121.33 Unearned Income In-Kind
- 121.34 Lump Sum Payments and Income Tax Refunds
- 121.40 Earned Income
- 121.41 Budgeting Earned Income
- 121.50 Exempt Earned Income
- 121.51 Income from Work/Study/Training Programs
- 121.52 Earned Income from Roomer and Boarder

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

121.53 Income From Rental Property
 121.54 Earned Income In-Kind
 121.55 Sponsors of Aliens
 121.57 Assets
 121.58 Exempt Assets
 121.59 Asset Disregards

SUBPART D: ELIGIBILITY STANDARDS

Section
 121.60 Net Monthly Income Eligibility Standards
 121.61 Gross Monthly Income Eligibility Standards
 121.62 Income Which Must Be Annualized
 121.63 Deductions From Monthly Income
 121.64 Food Stamp Benefit Amount

SUBPART E: HOUSEHOLD CONCEPT

Section
 121.70 Composition of the Assistance Unit
 121.71 Living Arrangement
 121.72 Nonhousehold Members
 121.73 Ineligible Household Members
 121.74 Strikers
 121.75 Students
 121.76 Households Receiving AFDC, SSI, Interim Assistance and/or GA -
 Categorical Eligibility

SUBPART F: MISCELLANEOUS PROGRAM PROVISIONS

Section
 121.80 Fraud Disqualification (Renumbered)
 121.81 Initiation of Administrative Fraud Hearing (Repealed)
 121.82 Definition of Fraud (Renumbered)
 121.83 Notification To Applicant Households (Renumbered)
 121.84 Disqualification Upon Finding of Fraud (Renumbered)
 121.85 Court Imposed Disqualification (Renumbered)
 121.90 Monthly Reporting and Retrospective Budgeting (Repealed)

EMERGENCY
 121.91 Monthly Reporting (Repealed)

EMERGENCY
 121.92 Retrospective Budgeting

EMERGENCY
 121.93 Issuance of Food Stamp Benefits
 121.94 Replacement of the EBT Card or Food Stamp Benefits
 121.95 Restoration of Lost Benefits
 121.96 Uses For Food Coupons
 121.97 Supplemental Payments

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

121.98 Client Training for the Electronic Benefits Transfer (EBT) System
 121.105 State Food Program (Repealed)
 121.107 New State Food Program
 121.120 Recertification of Eligibility
 121.130 Residents of Shelters for Battered Women and their Children
 121.131 Fleeing Felons and Probation/Parole Violators
 121.135 Incorporation By Reference
 121.140 Small Group Living Arrangement Facilities and Drug/Alcoholic
 Treatment Centers
 121.145 Quarterly Reporting

EMERGENCY

SUBPART G: INTENTIONAL VIOLATIONS OF THE PROGRAM

Section
 121.150 Definition of Intentional Violations of the Program
 121.151 Penalties for Intentional Violations of the Program
 121.152 Notification To Applicant Households
 121.153 Disqualification Upon Finding of Intentional Violation of the Program
 121.154 Court Imposed Disqualification

SUBPART H: FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM

Section
 121.160 Persons Required to Participate
 121.162 Participation and Cooperation Requirements
 121.164 Orientation
 121.166 Assessment and Employability Plan
 121.170 Job Search Component
 121.172 Basic Education Component
 121.174 Job Readiness Component
 121.176 Work Experience Component
 121.177 Illinois Works Component
 121.178 Job Training Component
 121.179 JTPA Employability Services Component
 121.180 Grant Diversion Component (Repealed)
 121.182 Earnfare Component
 121.184 Sanctions
 121.186 Good Cause for Failure to Cooperate
 121.188 Supportive Services
 121.190 Conciliation and Fair Hearings
 121.200 Types of Claims (Recodified)
 121.201 Establishing a Claim for Intentional Violation of the Program
 (Recodified)
 121.202 Establishing a Claim for Unintentional Household Errors and
 Administrative Errors (Recodified)
 121.203 Collecting Claim Against Households (Recodified)
 121.204 Failure to Respond to Initial Demand Letter (Recodified)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- 121.205 Methods of Repayment of Food Stamp Claims (Recodified)
 121.206 Determination of Monthly Allotment Reductions (Recodified)
 121.207 Failure to Make Payment in Accordance with Repayment Schedule (Recodified)
 121.208 Suspension and Termination of Claims (Recodified)

SUBPART I: WORK REQUIREMENT FOR FOOD STAMPS

- Section
 121.220 Work Requirement Components
 121.221 Meeting the Work Requirement with the Earnfare Component
 121.222 Volunteer Community Work Component
 121.223 Work Experience Component
 121.224 Supportive Service Payments to Meet the Work Requirement
 121.225 Meeting the Work Requirement with the Illinois Works Component
 121.226 Meeting the Work Requirement with the JTPA Employability Services Component

AUTHORITY: Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ICS 5/12-4.4 through 12-4.6 and 12-13].

SOURCE: Adopted December 30, 1977; amended at 3 Ill. Reg. 5, p. 875, effective February 2, 1979; amended at 3 Ill. Reg. 31, p. 109, effective August 3, 1979; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 41, p. 165, effective October 11, 1979; amended at 3 Ill. Reg. 42, p. 230, effective October 9, 1979; amended at 3 Ill. Reg. 44, p. 173, effective October 19, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 3, p. 49, effective January 9, 1980; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 23, 1980; amended at 4 Ill. Reg. 10, p. 253, effective February 27, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 17, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1131, effective January 16, 1981; amended at 5 Ill. Reg. 4586, effective April 15, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 12736, effective October 29, 1981; amended at 6 Ill. Reg. 1653, effective January 17, 1982; amended at 6 Ill. Reg. 2707, effective March 2, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10208, effective August 9, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

Reg. 5195; amended at 7 Ill. Reg. 5715, effective May 1, 1983; amended at 7 Ill. Reg. 8116, effective June 24, 1983; peremptory amendment at 7 Ill. Reg. 12999, effective October 1, 1983; amended at 7 Ill. Reg. 13655, effective October 4, 1983; peremptory amendment at 7 Ill. Reg. 16067, effective November 18, 1983; amended at 7 Ill. Reg. 16169, effective November 22, 1983; amended at 8 Ill. Reg. 5673, effective April 18, 1984; amended at 8 Ill. Reg. 7249, effective May 16, 1984; peremptory amendment at 8 Ill. Reg. 10086, effective July 1, 1984; amended at 8 Ill. Reg. 13284, effective July 16, 1984; amended at 8 Ill. Reg. 17900, effective September 14, 1984; amended (by adding Section being codified with no substantive change) at 8 Ill. Reg. 17898; peremptory amendment at 8 Ill. Reg. 19690, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 22145, effective November 1, 1984; amended at 9 Ill. Reg. 302, effective January 1, 1985; amended at 9 Ill. Reg. 6804, effective May 1, 1985; amended at 9 Ill. Reg. 8665, effective May 29, 1985; peremptory amendment at 9 Ill. Reg. 8896, effective July 1, 1985; amended at 9 Ill. Reg. 11334, effective July 8, 1985; amended at 9 Ill. Reg. 14334, effective September 6, 1985; peremptory amendment at 9 Ill. Reg. 15382, effective October 1, 1985; amended at 9 Ill. Reg. 16889, effective October 16, 1985; amended at 9 Ill. Reg. 19726, effective December 9, 1985; amended at 10 Ill. Reg. 229, effective December 20, 1985; peremptory amendment at 10 Ill. Reg. 7387, effective April 21, 1986; peremptory amendment at 10 Ill. Reg. 7941, effective May 1, 1986; amended at 10 Ill. Reg. 14692, effective August 29, 1986; peremptory amendment at 10 Ill. Reg. 15714, effective October 1, 1986; Sections 121.200 thru 121.208 recodified to 89 Ill. Adm. Code 165 at 10 Ill. Reg. 21094; peremptory amendment at 10 Ill. Reg. 3761, effective February 11, 1987; emergency amendment at 11 Ill. Reg. 3754, effective February 13, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 9968, effective May 15, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 10269, effective May 22, 1987; amended at 11 Ill. Reg. 10621, effective May 25, 1987; peremptory amendment at 11 Ill. Reg. 11391, effective July 1, 1987; peremptory amendment at 11 Ill. Reg. 11895, effective June 30, 1987; emergency amendment at 11 Ill. Reg. 12043, effective July 6, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13635, effective August 1, 1987; amended at 11 Ill. Reg. 14022, effective August 10, 1987; emergency amendment at 11 Ill. Reg. 15261, effective September 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 15480, effective September 4, 1987; amended at 11 Ill. Reg. 15634, effective September 11, 1987; amended at 11 Ill. Reg. 18218, effective October 30, 1987; peremptory amendment at 11 Ill. Reg. 18374, effective October 30, 1987; amended at 12 Ill. Reg. 877, effective December 30, 1987; emergency amendment at 12 Ill. Reg. 1941, effective December 31, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 4204, effective February 5, 1988; amended at 12 Ill. Reg. 9678, effective May 23, 1988; amended at 12 Ill. Reg. 9922, effective June 1, 1988; amended at 12 Ill. Reg. 11463, effective June 30, 1988; amended at 12 Ill. Reg. 12824, effective July 22, 1988; emergency amendment at 12 Ill. Reg. 14045, effective August 19, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 15704, effective October 1, 1988; peremptory amendment at 12 Ill. Reg. 16271, effective October 1, 1988; amended at 12 Ill. Reg. 20161, effective November 30, 1988; amended at 13 Ill. Reg. 3890, effective March 10, 1989; amended at 13 Ill. Reg. 13619,

DEPARTMENT OF HUMAN SERVICES
NOTICE OF EMERGENCY AMENDMENTS

emergency amendment at 24 Ill. Reg. 3871, effective March 1, 2000, for a maximum of 150 days.

SUBPART F: MISCELLANEOUS PROGRAM PROVISIONS

Section 121.90 Monthly Reporting and Retrospective Budgeting (Repealed)
EMERGENCY

Monthly Reporting and Retrospective Budgeting in the Food Stamp Program are governed by 7 CFR 273.21 (May 25, 1987); the following Section covers aspects of Monthly Reporting and Retrospective Budgeting in Food Stamps which are unique to Illinois and are not mandated but permitted by the Federal Regulations:

(Source: Repealed by emergency rulemaking at 24 Ill. Reg. 3871, effective March 1, 2000, for a maximum of 150 days)

Section 121.91 Monthly Reporting (Repealed)
EMERGENCY

- a) individuals who receive income from a sheltered workshop and individuals who receive public assistance benefits under the Aid to the Aged, Blind or Disabled Program as either an Aged, Blind or Disabled case are excluded from monthly reporting unless another household member is required to report monthly as defined in 7 CFR 273.21 and subsections (b)(1), (2) and (3) of this Section;
- b) Excluding TANF cash assistance clients who report quarterly (see Section 121.45); the following food stamp households are required to report monthly:
 - 1) all households having at least one member receiving earned income (see Section 121.46(b));
 - 2) households having at least one member receiving Unemployment Insurance Benefits (UIB);
 - 3) households having at least one member who has lost employment within the last three months;
 - c) Migrant households in the migrant job stream do not have to report monthly;
 - d) the report shall include:
 - 1) income and other circumstances relevant to the amount of the food stamp allotment; and
 - 2) changes in income, household composition and bank accounts affecting eligibility which the household expects to occur in the current month or future months or which occurred in the budget month;
 - e) With monthly reporting, the household is required to provide verification of the following information each month:
 - 1) Gross earned income (for example, pay stubs); and
 - 2) questionable information (information is considered questionable

DEPARTMENT OF HUMAN SERVICES
NOTICE OF EMERGENCY AMENDMENTS

effective August 14, 1989; peremptory amendment at 13 Ill. Reg. 15859, effective October 1, 1989; amended at 14 Ill. Reg. 729, effective January 1, 1990; amended at 14 Ill. Reg. 6349, effective April 13, 1990; amended at 14 Ill. Reg. 13202, effective August 6, 1990; peremptory amendment at 14 Ill. Reg. 15158, effective October 1, 1990; amended at 14 Ill. Reg. 16983, effective September 30, 1990; amended at 15 Ill. Reg. 11150, effective July 22, 1991; amended at 15 Ill. Reg. 11957, effective August 12, 1991; peremptory amendment at 15 Ill. Reg. 14134, effective October 1, 1991; emergency amendment at 16 Ill. Reg. 757, effective January 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 10011, effective June 15, 1992; amended at 16 Ill. Reg. 13900, effective August 31, 1992; emergency amendment at 16 Ill. Reg. 16221, effective October 1, 1992, for a maximum of 150 days; peremptory amendment at 16 Ill. Reg. 16345, effective October 1, 1992; amended at 16 Ill. Reg. 16624, effective October 23, 1992; amended at 17 Ill. Reg. 644, effective December 31, 1992; amended at 17 Ill. Reg. 4333, effective March 19, 1993; amended at 17 Ill. Reg. 14625, effective August 26, 1993; emergency amendment at 17 Ill. Reg. 15149, effective September 7, 1993, for a maximum 150 days; peremptory amendment at 17 Ill. Reg. 17477, effective October 1, 1993; expedited correction at 17 Ill. Reg. 21216, effective October 1, 1993; amended at 18 Ill. Reg. 2033, effective January 21, 1994; emergency amendment at 18 Ill. Reg. 2509, effective January 27, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 3427, effective February 28, 1994; amended at 18 Ill. Reg. 8921, effective June 3, 1994; amended at 18 Ill. Reg. 12829, effective August 5, 1994; amended at 18 Ill. Reg. 14103, effective August 26, 1994; amended at 19 Ill. Reg. 5626, effective March 31, 1995; amended at 19 Ill. Reg. 5648, effective May 5, 1995; emergency amendment at 19 Ill. Reg. 12705, effective September 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13595, effective October 1, 1995; amended at 20 Ill. Reg. 1593, effective January 11, 1996; peremptory amendment at 20 Ill. Reg. 2229, effective January 17, 1996; amended at 20 Ill. Reg. 7902, effective June 1, 1996; amended at 20 Ill. Reg. 11935, effective August 14, 1996; emergency amendment at 20 Ill. Reg. 13581, effective October 1, 1996, for a maximum of 150 days; emergency amendment at 20 Ill. Reg. 13669, effective October 8, 1996, for a maximum of 150 days; amended at 21 Ill. Reg. 3156, effective February 28, 1997; amended at 21 Ill. Reg. 7733, effective June 4, 1997; recodified from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; emergency amendment at 22 Ill. Reg. 1954, effective January 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 5502, effective March 4, 1998; amended at 22 Ill. Reg. 7969, effective May 15, 1998; emergency amendment at 22 Ill. Reg. 10660, effective June 1, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 12167, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16230, effective September 1, 1998; amended at 22 Ill. Reg. 19787, effective October 28, 1998; emergency amendment at 22 Ill. Reg. 19934, effective November 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 20099, effective November 1, 1998; emergency amendment at 23 Ill. Reg. 2601, effective February 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 3774, effective March 1, 1999; amended at 23 Ill. Reg. 7285, effective June 18, 1999; emergency amendment at 23 Ill. Reg. 1253, effective October 13, 1999, for a maximum of 150 days;

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

if information on the Monthly Report does not agree with statements of the recipient, other information on the Monthly Report or other information received by the local office;

f) the household is required to provide verification of gross unearned income each month if the information has changed since the last report;

g) if the household does not provide the required verifications, the following actions are taken:

i) earned income on the Monthly Report is considered incomplete and food stamp benefits are suspended;

2) all other required verifications:

A) benefits are decreased, if the unverified reported change results in a decrease, or

B) if benefits would increase as a result of the unverified reported change, then no action is taken;

h) all food stamp households, which must report monthly, shall have benefits calculated by considering income and attendant circumstances (except shelter costs, which are budgeted prospectively) on a retrospective basis;

i) the Monthly Report must be received or postmarked by the seventh day of the next fiscal month or the first workday following the seventh day of the next fiscal month when the seventh is a Saturday, Sunday or holiday; if a household files a complete report after the scheduled due date but before the household has been terminated, the household shall be reinstated if determined eligible; (Sec 09.iii-Adm-Code 101-10 for a definition of "fiscal month.")

j) At recertification, the household must complete a Request for Food Stamp; this Request for Food Stamp, along with the Monthly Report form, is the application for recertification;

k) in lieu of a monthly report, General Assistance (GA) recipients in the City of Chicago who are food stamp heads of households must comply with a review of their food stamp eligibility which will occur in conjunction with any redetermination of General Assistance; (Sec 09.iii-Adm-Code 114-148) The review will cover those elements specified in subsection (d) of this Section; Verification of eligibility factors will be required as specified in subsection (e) of this Section; this review is in addition to regular recertification which will occur once every 12 months;

(Source: Repealed by emergency amendment at 24 Ill. Reg. 3871, effective March 1, 2000, for a maximum of 150 days)

Section 121.92 Retrospective Budgeting

EMERGENCY

a) At initial application, income and attendant circumstances shall be budgeted on a prospective basis before beginning retrospective budgeting. Shelter costs shall be prospectively budgeted at all

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

times.

b) All food stamp households, except migrant households who are in the migrant job stream, households where all adult members are elderly or disabled as defined at Section 121.61 and having no earned income or having only exempt earned income, households where all members are homeless and cases in quarterly reporting, shall have income and attendant circumstances, except shelter costs, budgeted on a retrospective basis. Shelter costs shall be prospectively budgeted.

c) For households where the head of the household receives cash assistance from the Department, eligibility for food stamps is first determined on a prospective basis for all eligibility factors. If eligible on this prospective basis, the actual amount of benefits the household is entitled to receive shall be determined by budgeting income and attendant circumstances, except shelter costs, retrospectively. Shelter costs shall be budgeted prospectively. For TANF and RRA households eligible on a prospective basis, the benefit amount is computed in the same manner as the cash payment beginning the second regular month of cash assistance.

d) For households where the head of the household does not receive cash assistance from the Department, eligibility and the amount of benefits shall be determined retrospectively. Shelter costs shall be budgeted prospectively.

e) If a household becomes ineligible for food stamps due to a periodic increase in recurring income (for example, a wage earner is paid every Friday and there are five rather than four paydays in a budget month) the household shall be suspended for a month rather than terminated.

f) The budget month is the fiscal month from which the Department uses actual income and attendant circumstances, except shelter costs, which are budgeted prospectively, to determine the amount of benefits the household is entitled to receive. The payment month is the fiscal month which the food stamp benefits cover. The payment month is the second fiscal month following the budget month for cases subject to retrospective budgeting.

g) The budget month and payment month for each food stamp case are determined by the schedule the household is in, which schedule also governs the approximate availability date of the food stamp benefits:

SCHEDULE NUMBER	BUDGET MONTH AND PAYMENT MONTH DATES
00	1st through last Day of Calendar Month
01	1st through last Day of Calendar Month
02	1st through last Day of Calendar Month
03	1st through last Day of Calendar Month
04	7th through 6th Day of Calendar Month
05	10th through 9th Day of Calendar Month
06	14th through 13th Day of Calendar Month
07	17th through 16th Day of Calendar Month
08	20th through 19th Day of Calendar Month

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

09 22nd through 21st Day of Calendar Month

- h) ~~The above table applies to all food stamp households whether or not they report monthly and food stamp benefits are available at or near the beginning of the payment month.~~

(Source: Amended by emergency rulemaking at 24 Ill. Reg. 3871, effective March 1, 2000, for a maximum of 150 days)

Section 121.145 Quarterly Reporting EMERGENCY

- a) Individuals who receive income from a sheltered workshop and individuals who receive public assistance benefits under the Aid to the Aged, Blind or Disabled program as either an aged, blind, or disabled case are excluded from quarterly reporting, unless another household member is required to report quarterly as defined in subsection (C) of this Section. ~~On a quarterly basis, all TANF cash assistance units which contain a member who is employed or who has lost employment within the last three months must submit a completed written report form to the Department. The food stamp household's income, assets, family composition and other factors pertinent to eligibility for the budget month, and any changes in these factors which the unit expects to occur in the current month or in future months, shall be reported.~~
- b) Migrant households in the migrant job stream and households in which all members are homeless do not have to report quarterly.
- c) Food stamp households are required to submit a completed written report form each quarter if a member has earned income (see Section 121.40(b)) or a member lost employment within the last three months.
- d) The food stamp household's income for the calendar month the form is received shall be reported as well as assets, family composition and other factors pertinent to food stamp eligibility which have changed since the last report form and changes which are expected to occur in the next 3 months.
- e) The household is required to provide verification of the following information each quarter:
- 1) gross earned income (for example, pay stubs); and
 - 2) gross unearned income, if a change is reported; and
 - 3) questionable information (information is considered questionable if information on the report form does not agree with statement of the recipient, other information on the report form or other information received by the local office).
- f) Food stamp households which must report quarterly shall have benefits calculated for three months by considering income and attendant circumstances on a prospective basis.
- g) Earnings shall be budgeted prospectively for a three-month period based on the quarterly report provided by the client. Income

DEPARTMENT OF HUMAN SERVICES

NOTICE OF EMERGENCY AMENDMENTS

averaging will be used to determine the amount of income to budget for a three-month period.

- hd) ~~TANF clients~~ **clients** who experience a decrease in income below the amount anticipated may be eligible for supplemental food stamp benefits. A written request for supplemental food stamp benefits is also considered a request for supplemental food stamp benefits may exist if the eligibility for supplemental food stamp benefits may exist if the gross earned (minus self-employment business expenses, if any) and unearned income (including the assistance payment) received from all sources for the payment month is less than the TANF payment level for an assistance unit of comparable size. If these conditions are met, the amount of food stamp benefits that the client is eligible to receive for the payment month is determined using the amount of income anticipated for the payment month. The amount of the supplemental food stamp benefit is the difference.
- ie) ~~Clients who experience an increase in income above the amount anticipated will not be referred for an overpayment based on the increased income.~~
- if) The Department will determine if eligibility continues and process any adjustments to the food stamp benefit level once the completed quarterly report is received. The Department will notify the household of any changes in the benefit level and the reason or reasons for the change. The notification will be mailed to arrive no later than the day the food stamp benefits would be available, if the food stamp benefit level is being reduced or terminated as a result of information contained in the report.
- kg) Food stamp benefits may be terminated if the Department does not receive the quarterly report or receives only an incomplete report. The Department must send the household a notice of the action to arrive not later than the date the benefits would have been available if the Department had received a completed report on time. The Department will promptly notify the client of the right to a fair hearing and the right to have benefits reinstated if the household is found ineligible or eligible for an amount less than that of the prior month. Benefits will be reinstated to the level of the prior month, if a hearing is requested on or before the date of change or within 10 calendar days after the date of notice, whichever is later.
- lh) Eligibility for the entire three-month period will be determined, if a completed report form is received by the end of the first payment month of the three-month period for which the report is used to determine eligibility.
- mi) Eligibility for the month of receipt and the third month, if applicable, will be determined, if a completed report form is received after the last calendar day of the first payment month of the three-month period for which the report is used to determine eligibility. Eligibility for food stamp benefits for the first payment month of the three-month period shall not exist.
- nj) Persons who are required to file quarterly reports will be notified of

DEPARTMENT OF HUMAN SERVICES

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

NOTICE OF EMERGENCY AMENDMENTS

- their responsibility, receive a complete explanation of the requirements and be informed of the due date for the first report.
- c) At recertification, the household must complete a Request for Food Stamps. This Request for Food Stamps, along with the most recent quarterly report form, is the application for recertification.
- p) In lieu of a quarterly report, General Assistance (GA) recipients in the City of Chicago, who are food stamp payees, must comply with a review of their food stamp eligibility which will occur in conjunction with any redetermination of General Assistance. (See 89 Ill. Adm. Code 114.420.) The review will cover those elements specified in subsection (d) of this Section. Verification of eligibility factors will be required as specified in subsection (e) of this Section. This review is in addition to regular recertification which will occur once every 12 months.

(Source: Amended by emergency rulemaking at 24 Ill. Reg. 3887.1, effective March 1, 2000, for a maximum of 150 days)

- 1) Heading of the Part: Illinois Vital Records Code
- 2) Code Citation: 77 Ill. Adm. Code 500
- 3)

<u>Section Numbers:</u>	<u>Emergency Action:</u>
500.10	Amended
500.20	Amended
500.47	New Section
500.70	Amended
Appendix E	
Illustration D	Amended
Illustration E	Amended
Illustration F	Repealed
Illustration G	Amended
Illustration H	Amended
Illustration I	Amended
Illustration K	New Section
Illustration L	New Section
Illustration M	New Section
Illustration N	New Section
Illustration O	New Section
Illustration P	New Section
Illustration Q	New Section
- 4) Statutory Authority: Implementing and authorized by the Vital Records Act [410 ILCS 535], the Adoption Act (750 ILCS 501, and Jane Doe II v. Lumpkin, United States District Court, Central District of Illinois, Case No. 89-1224.
- 5) Effective Date of Emergency Rules: February 25, 2000
- 6) If this Emergency Rule is to Expire Before the End of the 150-Day Period, Please Specify the Date on which it is to Expire: The emergency amendments will not expire before the end of the 150-day period.
- 7) Date filed with Index Department: February 25, 2000
- 8) A copy of the emergency amendments, including any material incorporated by reference, is on file in the Department's principal office and is available for public inspection.
- 9) Reason for emergency: These amendments are being filed (i) to remedy threats to the public interest, safety, and welfare of the people of the State of Illinois, (ii) because the Department finds that a threat to the public interest, safety, and welfare exists due to the need to facilitate the voluntary, confidential exchange of urgent, vital, and life and welfare threatening medical and other information between consenting persons under the Adoption Registry, and (iii) to comply with the

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

provisions of Public Act 91-0417 mandating the administration of the Adoption Registry and Medical Information Exchange.

- 10) A Complete Description of the Subjects and Issues Involved: Provides for an Illinois Adoption Registry and Medical Information Exchange to facilitate the exchange of identifying information and medical information between birth parents, adoptive parents or legal guardians of adopted persons, adopted persons age 21 or older, and adopted persons' birth siblings, who are age 21 or older. Directs the Adoption Registry Advisory Council to advise the Department of Public Health on the development of rules, procedures, and forms used by the Registry. Provides for the creation of an Adoption/Surrender Records File for each adopted or surrendered person born, adopted, or surrendered in Illinois. Implements the \$40 fee for registering with the Registry and Medical Exchange, which fee shall be waived for parties to an adoption and birth siblings of an adopted person who complete a Medical Information Exchange Questionnaire and birth and for adoptive parents registering within 12 months of the adoption. Illustrates forms for the registry. Adds confidentiality provisions.

- 11) Are there any other proposed amendments for this Part? No

- 12) Statement of Statewide Policy Objectives: This rulemaking does not create a mandate.

- 13) Time, Place, and Manner in which Interested Persons May Comment on this Emergency Rulemaking:

Interested persons may present their comments concerning this rulemaking by writing within 45 days after this issue of the *Illinois Register* to:

Paul Thompson, Legal Services
Illinois Department of Public Health
535 West Jefferson, Fifth Floor
Springfield, Illinois 62761
(217)782-2043
e-mail: rules@dph.state.il.us

Small businesses commenting on these rules shall indicate their status as a small business on their written comments.

The full text of the emergency amendments begins on the next page:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER 1: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER e: VITAL RECORDS

PART 500

ILLINOIS VITAL RECORDS CODE

Section
500.10 Definitions
EMERGENCY
500.20 Access to Vital Records

EMERGENCY
500.30 Delayed Records of Birth
500.40 Amendments, Additions or Corrections to Vital Records
500.45 New Certificates of Birth
500.47 Illinois Adoption Registry and Information Exchange

EMERGENCY
500.50 Transportation and Disposition of Dead Human Body
500.60 Court Order to Restore Original Certificate of Birth
500.70 Availability of Medical and Health Information

EMERGENCY
500.80 Appointment and Removal of Local Registrars
500.90 Social Security Numbers of the Mother and Father of an Infant
APPENDIX A Birth Records

ILLUSTRATION A Certificate of Live Birth

ILLUSTRATION B Information For Medical and Health Use Only

ILLUSTRATION C Record of a Foreign Birth

ILLUSTRATION D Certificate of Birth - Foundling Child

ILLUSTRATION E Application for Search of Birth Record Files

ILLUSTRATION F Application for Correction of a Birth Certificate

APPENDIX B Delayed Birth Records

ILLUSTRATION A Instructions for Filing a Delayed Record of Birth for a Child Age One to Seven Years

ILLUSTRATION B Delayed Record of Birth

ILLUSTRATION C Filing a Delayed Record of Birth After the Seventh Birthday

ILLUSTRATION D Application for Delayed Record of Birth

ILLUSTRATION E Delayed Record of Birth (Registered After Seventh Birthday)

ILLUSTRATION F Affidavit in Support of an Application for a Delayed Registration of Birth

APPENDIX C Marriage Application and Record
APPENDIX D Certificate of Dissolution, Invalidity of Marriage or Legal Separation

APPENDIX E Adoption Records

ILLUSTRATION A Certificate of Adoption

ILLUSTRATION B Information Concerning Adoptive Parents

ILLUSTRATION C Information Concerning Parents

ILLUSTRATION D Instructions for Adoption Registry Forms

EMERGENCY

Parent Registration

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

any administrative body or tribunal without general trial jurisdiction.

"Custodian" means the State Registrar of Vital Records, local registrars, or county clerks.

"Delayed birth registration Birth-Registration" means the registration of any birth that was not registered within 3 three days after the event and includes:

the registration of a birth that which occurred more than 3 three days, but less than one year prior to the application for registration;

the registration of a birth that which occurred more than one year, but less than 7 seven years prior to the application for registration; and

the registration of a birth that which occurred more than 7 seven years prior to the application for registration.

"Final disposition" means the burial, cremation, or other disposition of a dead human body, or fetus or parts of a dead human body or fetus thereof, including depositing in a vault or tomb, removal from the State, or use by a hospital or other institution for medical or scientific study in accordance with the Cadaver Act [410 ILCS 510] (1111--Rev.--Stat--1989--ch-144--par-1551-to-1554) and Section 8 of the Uniform Anatomical Gift Act [755 ILCS 50/8] (1111--Rev--Stat--1989--ch-110-1/2--par-388).

"Funeral director or person acting as such" means a person licensed in the State of Illinois to practice funeral directing, or a person acting under the direction or supervision of an Illinois licensed funeral director as an employee or an associate of the funeral director thereof.

"Legal representative Representative" refers to:

an An attorney acting on behalf of a person(s) named on a birth certificate;

an An agent authorized by power of attorney;

a Other court-appointed personal representative;

an An agent with written, notarized authorization from a person(s) named on a birth certificate for the purpose of obtaining a certified copy for that person; or

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

any other agent, approved by the State Registrar as a legal representative of the person to whom the birth certificate relates.

"Major correction" includes, but is not limited to, any administrative correction made more than one year after the date of the occurrence, or an administrative correction made within one year of the date of the occurrence relating to these items (except as provided in Section 500.40(f)(3)(D) of this Part):

significant changes in the surname of the registered person;

on births, changes in the date or place of the occurrence; the parent(s) age(s), if changed more than 2 years;

changes in the cause of death;

the identity of the parent(s) on the birth certificate; changes in marital status; or

the birthdate and/or age of the decedent on a death certificate; or, other like circumstances.

Any other item corrected within one year of the occurrence is considered a "minor correction."

"Minor correction" means any administrative correction made within one year of the occurrence not meeting the criteria of a major correction.

"Personal services contract" means a contract between a unit of the State or local government body and an individual or a firm for the provision of services to the unit of the State or local government.

"State Registrar" means the State Registrar of Vital Records.

(Source: Amended by emergency rulemaking at 24 Ill. Reg. 3885, effective February 25, 2000, for a maximum of 150 days)

Section 500.20 Access to Vital Records

EMERGENCY

a) Any custodian of vital records may furnish, upon the such terms or conditions as he or she may prescribe under the Act, the Adoption Act, and this Part, when deemed in the public interest and not for purposes of commercial solicitation or private gain, copies of vital and records or data from these records: thereof, to public agencies administering health, welfare, safety, law enforcement, or public assistance programs; and to private agencies, approved by the State

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

Registrar, such as hospitals, public news media, abstract and title companies, and credit bureaus.

- b) Nothing in this Part ~~herein~~ shall be construed as authorization to permit access to or inspection of, the vital records by any person other than the custodians or their employees, nor as authorization to disclose information contained in these ~~such~~ records, or copy, or permit to be copied, all or any part of these ~~such~~ records, except as authorized by the Act, the Adoption Act, and this Part.
- c) It shall be the duty of the person(s) responsible for the completion of the Certificate of Live Birth to ensure that the information necessary to complete the form is collected, recorded, and maintained in a confidential manner. This duty includes retaining, in a secure manner, only one copy of either the original birth record or the worksheet unless the hospital can demonstrate to the State Registrar that more than one copy is necessary for the maintenance of hospital records. Under no circumstances shall the original certificate or worksheet be disclosed to anyone other than hospital officials responsible for completing the form, the State Registrar, or hospital personnel directly involved in the birth mother's care and then only for administrative or health care purposes.
- d) Hospital personnel responsible for the preparation of the Certificate of Live Birth are strictly prohibited from requesting any information or consent from the birth mother or from presenting the worksheet and/or the original certificate to the birth parent(s) for information, review, or signature(s) in the presence of anyone other than hospital personnel directly involved in the birth mother's care. The father's signature shall be affixed to the original birth certificate in a manner that will not divulge the data contained in the section entitled "Information for Medical and Health Use Only".
- e) Under no circumstances shall the section of the Certificate of Live Birth entitled "Information for Medical and Health Use Only" be disclosed to anyone, with the exception of the birth mother, the State Registrar, and hospital personnel directly involved in the birth mother's care, unless written informed consent has been given by the mother. This prohibition includes the father of the infant and all immediate and extended family members. Consent shall be obtained from the birth mother only when she is alone or in the presence of hospital personnel directly involved in her care.
- f) No person may be granted access to an original birth record or file of an adopted person, except upon presentation of a certified court order directing the State Registrar to provide ~~this~~ such access.
- g) Certified copies of an official birth record will be provided to the person to whom the record relates (if the person is 18 years of age or older), or to the parents, to the legal guardian(s), and to the legal representative, as defined in Section 500.10, of the person to whom the record relates, upon payment of the fee under Section 25 of the Act [410 ILCS 535/25].
- h) Certified copies of an official death record will be provided to the

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

- i) administrator or executor of the decedent's estate.
Nothing in this Part shall be construed to permit disclosure of information contained in the "Information for Medical and Health Use Only" section of the Certificate of Live Birth and the Certificate of Fetal Death or the "Information for Statistical Purposes Only" section of the Certificate of Marriage or Certificate of Dissolution, invalidity of Marriage, or Legal Separation unless specifically authorized by the State Registrar for statistical or research purposes or if authorized by a court of competent jurisdiction.

- j) All information submitted to the Adoption Registry is confidential and gathered by the State solely for the purpose of facilitating the exchange of updated medical data and contact information between adopted and surrendered persons and other registered parties. Information exchanged through the Registry shall not be admissible as evidence nor discoverable in any action of any kind in any court or before any tribunal, board, agency, or commission and may not be disclosed, except as authorized by this Part. Disclosure of identifying information in violation of the Adoption Act is a Class A misdemeanor (Section 18.8 of the Adoption Act [750 ILCS 50/18.8]).

(Source: Amended by emergency rulemaking at 24 Ill. Reg. effective February 25, 2000, for a maximum of 150 days)

3885

Section 500.47 Illinois Adoption Registry and Information Exchanges EMERGENCY

- a) As used in this Section:

"Adopted person" means a person who was adopted pursuant to the laws in effect at the time of the adoption (Section 18.06 of the Adoption Act [750 ILCS 50/18.06]).

"Adoptive parent" means a person who has become a parent through the legal process of adoption (Section 18.06 of the Adoption Act [750 ILCS 50/18.06]).

"Agency" means a public child welfare agency or a licensed child welfare agency (Section 18.06 of the Adoption Act [750 ILCS 50/18.06]).

"Birth father" means the biological father of an adopted or surrendered person who is named on the original certificate of live birth or on a consent or surrender document, or a biological father whose paternity has been established by a judgment or order of the court, pursuant to the Illinois Parentage Act of 1984 (Section 18.06 of the Adoption Act [750 ILCS 50/18.06]).

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

"Birth mother" means the biological mother of an adopted or surrendered person (Section 18.06 of the Adoption Act [750 ILCS 50/18.06]).

"Birth parent" means a birth mother or birth father of an adopted or surrendered person (Section 18.06 of the Adoption Act [750 ILCS 50/18.06]).

"Birth sibling" means the adult full or half sibling of an adopted or surrendered person (Section 18.06 of the Adoption Act [750 ILCS 50/18.06]).

"Council" means the Adoption Registry Advisory Council created under Section 18.07 of the Adoption Act [750 ILCS 50/18.07].

"Denial of Information Exchange" means an affidavit completed by a registrant with the Illinois Adoption Registry and Medical Information Exchange denying the release of identifying information (Section 18.06 of the Adoption Act [750 ILCS 50/18.06]).

"Department" means the Department of Public Health.

"Information Exchange Authorization" means an affidavit completed by a registrant with the Illinois Adoption Registry and Medical Information Exchange authorizing the release of identifying information (Section 18.06 of the Adoption Act [750 ILCS 50/18.06]).

"Medical Information Exchange Questionnaire" means the medical history questionnaire completed by a registrant of the Illinois Adoption Registry and Medical Information Exchange (Section 18.06 of the Adoption Act [750 ILCS 50/18.06]).

"Proof of death" means a death certificate (Section 18.06 of the Adoption Act [750 ILCS 50/18.06]).

"Registrant" or "registered party" means a birth parent, birth sibling, adopted or surrendered person over the age of 21, or adoptive parent or legal guardian of an adopted or surrendered person under the age of 21 who has filed an Illinois Adoption Registry Application or Registration Identification Form with the Registry (Section 18.06 of the Adoption Act [750 ILCS 50/18.06]).

"Surrendered person" means a person whose parents' rights have been surrendered or terminated but who has not been adopted (Section 18.06 of the Adoption Act [750 ILCS 50/18.06]).

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

b) The Department of Public Health will:

- 1) Maintain the Illinois Adoption Registry, Information Exchange, and the Medical Information Exchange under the Adoption Act [750 ILCS 50] to assist the voluntary exchange of information between mutually consenting birth parents or birth siblings and mutually consenting adoptive parents or legal guardians of adopted or surrendered persons under the age of 21 or adopted or surrendered persons 21 years of age or older.
- 2) Inform the public about the Adoption Registry and Information Exchange through public service announcements, media coverage and, for a minimum of 4 years, through notices enclosed with driver's license renewal applications.
- 3) Notify all parties who registered with the Illinois Adoption Registry before January 1, 2000 of the Adoption Registry and Medical Information Exchange.
- 4) Maintain an informational Internet site where interested parties may access information about the Illinois Adoption Registry and Medical Information Exchange and download all necessary application forms.
- 5) Maintain or aggregate statistical records and informational material regarding the Registry and Registry participation for distribution to the public.
- c) Effective with the establishment of an Adoption Registry and Medical Information Exchange, the Department will provide information about Adoption Registry services. The address and telephone number of the Adoption Registry is as follows:

Adoption Registry
Illinois Department of Public Health
Division of Vital Records
605 W. Jefferson
Springfield, Illinois 62702-6553
[Toll free] 877-323-5299 or 217-557-5159

- d) When a person registers with the Illinois Adoption Registry and completes an Illinois Adoption Registry Application or a Registration Identification Form, the Registry shall establish a new Adoption/Surrender Records File for that person. An established Adoption/Surrender Records File shall be limited to the following items:

- 1) The General Information Section and Medical Information Exchange Questionnaire/Release (and/or Denial of Medical Information Exchange/Release) of an Illinois Adoption Registry Application or a Registration Identification Form that has been voluntarily completed by the adopted or surrendered person or his or her adoptive parents, legal guardians, birth parents, or birth siblings. The Department of Public Health shall act according to the most recently filed release or denial of release.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

- 2) Photographs voluntarily provided by a registrant for the adopted or surrendered person or his or her adoptive parents, legal guardians, birth parents, or birth siblings. The photographs shall be submitted in an unsealed envelope no larger than 8 1/2" x 11" and shall not include identifying information about a person other than the registrant who submitted them. Identifying information submitted about persons other than the registrant shall be redacted by the Department or the information shall be returned to the registrant for removal of that identifying information.
- 3) Any Information Exchange Authorization or Denial of Information Exchange that has been filed by a registrant. The Department of Public Health shall act according to the most recently filed authorization or denial.
- 4) For all adoptions finalized after January 1, 2000, copies of the original certificate of live birth and the certificate of adoption.
- 5) Updated addresses submitted by a registered party about himself or herself.
- 6) Proof of death that has been submitted by an adopted or surrendered person, adoptive parent, legal guardian, birth parent, or birth sibling.
- e) The Department will establish and maintain a Registry to provide identifying information to mutually consenting adult adopted or surrendered persons, birth parents, adoptive parents, legal guardians, and birth siblings. Identifying information includes the following items:
 - 1) The name and last known address of the consenting person or persons.
 - 2) A copy of the Illinois Adoption Registry Application of the consenting person or persons.
 - 3) A copy of the original certificate of live birth of the adopted person. Written authorization from all parties identified must be received before the disclosure of the respective party's identifying information.

- f) After a child is surrendered for adoption or during the adoption proceedings, or after the adoption, either birth parent or both birth parents may file with the Registry a Birth Parent Registration Identification Form and an Information Exchange Authorization or a Denial of Information Exchange.
 - A birth sibling 21 years of age or older who was not surrendered for adoption and who has submitted proof of death for a deceased birth parent which parent did not file a Denial of Information Exchange with the Registry before his or her death, may file a Registration Identification Form and an Information Exchange Authorization or a Denial of Information Exchange.
 - An adopted person over the age of 21, or a surrendered person over the age of 21, or an adoptive parent or legal guardian of an

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

- g) adopted or surrendered person under the age of 21 may file with the Registry a Registration Identification Form and an Information Exchange Authorization or a Denial of Information Exchange. The Department will supply to the adopted or surrendered person or his or her adoptive parents or legal guardians and to the birth parents identifying information only if both the adopted or surrendered person or his or her adoptive parents or legal guardians and the birth parents have filed with the Registry an Information Exchange Authorization and the information at the Registry indicates that the consenting adopted or surrendered person or the child of the consenting adoptive parents or legal guardians is the child of the consenting birth parents. The Department will supply to adopted or surrendered persons who are birth siblings identifying information only if both siblings have filed with the Registry an Information Exchange Authorization and the information at the Registry indicates that the consenting siblings have one or both birth parents in common. Identifying information will be supplied to the consenting birth siblings who were adopted or surrendered if the information will be supplied to consenting birth siblings who were not adopted or surrendered if the consenting sibling is 21 years of age or older. Identifying information will be supplied to the consenting sibling is 21 years of age or older, has proof of death of the common birth parent, and the birth parent did not file a Denial of Information Exchange with the Registry before his or her death.
- h) A birth parent, birth sibling, adopted or surrendered person, or adoptive parents or legal guardians may notify the Registry of their desire not to have their identity revealed or may revoke any previously filed Information Exchange Authorization or Medical Information Exchange Questionnaire/Release by completing and filing with the Registry a Registry Identification Form along with a Denial of Information Exchange or Denial of Medical Information Exchange Release, as applicable. The Illinois Adoption Registry Application does not need to be completed in order to file a Denial of Information Exchange or Release. An adopted or surrendered person or his or her adoptive parents or legal guardians, birth sibling, or birth parent may revoke a Denial of Information Exchange or Denial of Medical Information Exchange Release by filing an Information Exchange Authorization or Medical Information Exchange Release, as applicable. The Department of Public Health shall act according to the most recently filed authorization or release.
- i) Information submitted to the Registry is confidential and gathered by the State to assist the exchange of updated medical data and contact information between adopted and surrendered persons and other registered parties. Information exchanged through the Registry is not admissible as evidence nor discoverable in an action in a court, tribunal, board, agency, or commission, except as provided in subsection (i)(1). Disclosure of information in violation of the Adoption Act is a Class A misdemeanor (see Section 18.8 of the

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

Adoption Act [750 ILCS 50/18.8]].

- 1) Information from the Registry may not be disclosed, except as authorized by the Adoption Act, including under Section 18.1(f) of that Act, only:

- A) Upon a Court Order, which order shall name the person or persons entitled to the information.
- B) To the adopted or surrendered person, adoptive parents or legal guardians, birth sibling, or birth parent if both the adopted or surrendered person, or his or her adoptive parents or legal guardians, and his or her birth parent, both birth parents or birth siblings, have filed with the Registry an Information Exchange Authorization and have otherwise met the conditions of this Part.
- C) As authorized under Section 18.3(h) of the Adoption Act [750 ILCS 50/18.3(h)].
- D) If requested by an adopted person, a copy of the certificate of live birth shall only be released to the adopted person under the conditions of this Part if he or she was born in Illinois and is the subject of an Information Exchange Authorization filed by one of his or her birth parents or non-surrendered birth siblings.

- 2) A person who willfully provides unauthorized disclosure of information filed with the Registry or who knowingly or intentionally files false information with the Registry is guilty of a Class A misdemeanor and is liable for damages under Section 18.1(f) of the Adoption Act [720 ILCS 50/18.1(f)].
- 3) Identifying information submitted about persons other than the registrant shall be redacted by the Department or the information shall be returned to the registrant for removal of that identifying information. The Department shall redact identifying information provided to it about a party who has not consented to the disclosure of the identifying information.

- 1) Upon meeting the requirements of this Part, the Registry shall release identifying information as specified on the Information Exchange Authorization to the following mutually consenting registered parties and provide them with photographs that have been placed in the Adoption/Surrender Records File and are specifically intended for the registered parties:

- 1) An adult adopted or surrendered person and one of his or her birth parents or birth siblings who have both filed an applicable Information Exchange Authorization specifying the other consenting party with the Registry, if information available to the Registry confirms that the consenting adopted or surrendered person is a birth relative of the consenting birth parent or sibling.

- 2) The adoptive parent or legal guardian of an adopted or surrendered person under the age of 21 and one of his or her birth parents or birth siblings who have both filed an

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

Information Exchange Authorization specifying the other consenting party with the Registry if the information available to the Registry confirms that the child of the consenting adoptive parent or legal guardian is a birth relative of the consenting birth parent or birth sibling.

- 3) If a registrant is the subject of a Denial of Information Exchange filed by another party to the adoption, the Registry shall not release identifying information to either registrant.
- 4) If a registrant has completed a Medical Information Exchange Questionnaire and has consented to its disclosure, that registrant shall be released to any registered party who has indicated his/her desire to receive the information on his or her Illinois Adoption Registry Application if information available to the Registry confirms that the consenting parties are birth relatives or that the consenting birth relative and the child of the consenting adoptive parents or legal guardians are birth relatives.
- 5) If a registrant is the subject of a Denial of Medical Information Exchange filed by another party to the adoption, the Registry shall not release the medical information to either registrant.

- k) The forms for the Adoption Registry Application, Birth Parent Registration Identification, Adopted Person Registration Identification, Surrendered Person Registration Identification, Non-surrendered Birth Sibling Registration Identification, Adoptive Parent Registration Identification, Legal Guardian Registration Identification, Information Exchange Authorization, Denial of Information Exchange, Medical Information Exchange Questionnaire/Release, and Denial of Medical Information Exchange Release are included as illustrations in Appendix E of this Part.

- 1) Registration with the Illinois Adoption Registry and Medical Information Exchange is effective upon the filing with the Registry of the applicant's completed Illinois Adoption Registry Application.

- 2) When an Illinois Adoption Registry Application, Information Exchange Authorization or Release, or a Denial of Information Exchange or Release is executed in a foreign country, the execution must be acknowledged or affirmed before an officer of the United States consular services. If the person signing an Information Exchange Authorization or a Denial of Information is in the military service of the United States, the execution of the document may be acknowledged before a commissioned officer and the signature of the officer on the certificate must be verified or acknowledged before a notary public or by other procedure of the armed forces.

- 3) A registrant may complete all or any part of the Illinois Adoption Registry form. All Illinois Adoption Registry forms, Information Exchange Authorizations or Releases, Denials of

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

Information Exchanges or Releases, requests to revoke an Information Exchange Authorization or Denial of Information Exchange or Release, and affidavits submitted to the Registry shall be accompanied by proof of identification. Accepted forms of identification include a driver's license, state or federal identification card, military identification card, passport, or other government issued identification card, but does not include a firearm owner's identification card.

- 4) The registrant must pay a \$40 fee for registering with the Illinois Adoption Registry and Medical Information Exchange. This fee will be waived, however, for all adopted or surrendered persons, adoptive parents, legal guardians, birth parents, and birth siblings who complete a Medical Information Exchange Questionnaire at the time of registration and authorize its release to specified registered parties, and for adoptive parents registering within 12 months of the finalization of the adoption. In addition, persons who were registered with the Illinois Adoption Registry before January 1, 2000 and who wish to update their registration may do so without charge. Further, the Department will not charge a fee for the withdrawal or revocation of a form.

- 5) The Adoption Registry Advisory Council is chaired by the Director of Public Health or the Director's designee. The Council will:

- 1) Advise the Department on the development of rules, procedures, and forms utilized by the Illinois Adoption Registry and Medical Information Exchange.
- 2) Make recommendations regarding the procedures, tools and technology that will ensure efficient and effective operation of the Registry.
- 3) Assist the Department with the development, publication, and circulation of an informational pamphlet that describes the purpose, function, and mechanics of the Illinois Adoption Registry and Medical Information Exchange, including information about who is eligible to register and how to register; information about the questions and concerns that registrants may develop when they register or when they receive information from the Registry; and a list of services, programs, groups, and informational websites that are available to assist registrants with their questions and concerns.

(Source: Added by emergency rulemaking at 24 Ill. Reg. 3885, effective February 25, 2000, for a maximum of 150 days)

Section 500.70 Availability of Medical and Health Information

EMERGENCY

- a) All reports issued by the Department that which are aggregated to make it impossible to identify any patient or reporting facility, including

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

the annual report, shall be made available to the public pursuant to the Department's Freedom of Information Code rules (2 Ill. Adm. Code 1126) and the Freedom of Information Act (5 ILCS 140) [444-Rev-Sta-1989]-chr-3167-par-241-et-seq.

- b) All requests by bonafide researchers approved by the State Registrar seeking confidential vital records data and/or certificates must be submitted in writing to the Division of Vital Records. The request must include a study protocol that which contains: objectives of the research; rationale for the research; including scientific literature justifying the current proposal; overall study methods, including copies of forms, questionnaires, and consent forms used to contact facilities, physicians, or study subjects; methods for the processing of data; storage and security measures taken to insure confidentiality of the registrant and parental identifying information; time frame of the study; a description of the funding source of the study (e.g., federal contract); and the curriculum vitae of the principal investigator and a list of collaborators. In addition, the research request must specify what identifying information is needed and how the information will be used.

- c) All requests to conduct research and all modifications to approved research proposals involving the use of data and/or vital records certificates that include which-includes identifying information shall be subject to a review to determine compliance with the following conditions:

- 1) the request for identifying information contains stated goals or objectives;
- 2) the request documents the feasibility of the study design in achieving the stated goals and objectives;
- 3) the request documents the need for the requested data to achieve the stated goals and objectives;
- 4) the requested data can be provided within the time frame timeframe set forth in the request;
- 5) the request documents that the researcher has qualifications relevant to the type of research being conducted;
- 6) the research will not duplicate other research already underway using the same data; and
- 7) other such conditions relevant to the need for the identifying information and the applicant's and parental confidentiality rights because the Department will only release identifying information that which is necessary for the research.

- d) Research Agreements

- 1) The Department will enter into research contracts for all approved research requests. These contracts shall specify exactly what information is being released and how it can be used in accordance with the standards in subsection (c) above. In addition, the researcher shall include an assurance that:
 - A) use of data is restricted to the specifications of the protocol;

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

- B) any and all data and/or vital records certificates that **which** may lead to the identity of any registrant or parent, research subject, physician, informant, other person, or hospital is strictly privileged and confidential, and the researcher agrees to keep all **this** such data strictly confidential at all times;
- C) all officers, agents and employees will keep all **this** such data strictly confidential, will communicate the requirements of this Section to all officers, agents, and employees, will discipline all persons who may violate the requirements of this Section, and will notify the Department in writing within ~~forty-eight~~ 48 hours of any violation of this Section, including full details of the violation and corrective actions to be taken;
- D) all data provided by the Department pursuant to this contract may only be used for the purposes named in this contract and that any other or additional use of the data may result in immediate termination of this contract by the Department;
- E) all data provided by the Department pursuant to this contract is the sole property of the Department and may not be copied or reproduced in any form or manner, and the researcher agrees to return all data and all copies and reproduction of the data to the Department upon termination of this contract or make assurances that data and/or vital records certificates will be properly shredded or incinerated;
- F) any breach of any of the provisions of the **such** research contract will void the contract. All data previously provided by the Department, including any copies of the data **same**, regardless of form, will be returned to the Department immediately. No further data will be released to, nor research contracts entered into with, the principal investigator and collaborators for a period of time to be determined by the State Registrar.
- 2) Any departures from the approved protocol must be submitted in writing and approved by the Director in accordance with subsection (c)(2) above prior to initiation. No identifying information may be released by a researcher to a third party.
- e) Prior to the release to ~~private~~ researchers of any copies of birth records or data from the birth records ~~therefrom~~, to **private** researchers that contain personal identifiers, the State shall first obtain informed consent from the mother to whom the record relates. In requesting this informed consent, the mother shall be provided with a brief description of the research project. Personal identifiers include names, social security numbers, addresses, or any combination of items that may divulge the identity of an individual listed on a Certificate of Live Birth. For the purposes of this part, private

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

- researchers shall include all those researchers who are not employed by the federal government and those researchers not ~~not those who are~~ employed by and/or not having ~~not have~~ a personal services contract to conduct the research utilizing the requested data with any State or local governmental body. ~~For the purposes of this Part, a personal services contract shall be defined as a contract between a unit of the State or local government body and an individual or a firm for the provision of services to the unit of the State or local government. Under a governmental personal services such contract, the work product and all drafts of the contract thereof shall remain the property of the unit of the State or local government. Personal services contractors shall be considered custodians of vital records within the meaning of the Vital Records Act for the term of the personal services contract.~~
- f) Informed consent shall include the written signature of the mother approving her participation in the private research project. Only after the Department receives informed consent from the mother approving the release of her medical data to the private researcher, may the Department release this data.
- g) The Department shall disclose individual patient or facility information to the reporting facility that ~~which~~ originally supplied that information to the Department, upon written request of the facility.
- h) The patient identifying information submitted to the Department by those entities required to submit information under the Act and this Part is to be used in the course of medical study under Part 21 of Article 8 of the Code of Civil Procedure [735 ILCS 5/Art. 8, Part 21] ~~1111-Rev-Stat-1989; ch-1167; par-8-2161-et-seq.~~. Therefore, this information is privileged from disclosure by Part 21 of Article 8 of the Code of Civil Procedure.
- i) The identity of any facility or any group of facts that **which** tends to lead to the identity of any person submitted to the Division of Vital Records is confidential and shall not be open to public inspection or dissemination. This **Such** information shall not be available for disclosure, inspection, or copying under the Freedom of Information Act [5 ILCS 140] ~~1111-Rev-Stat-1989; ch-1167; par-201-et-seq.~~ or the State Records Act [5 ILCS 160] ~~1111-Rev-Stat-1989; ch-1167; par-43-4-et-seq.~~. Information for specific research purposes may be released in accordance with procedures established by the Department in this Section.
- j) Every hospital shall provide representatives of the Department with access to information from all medical, pathological, and other pertinent records and logs related to the preparation of vital records. The mode of access shall be by mutual agreement between the hospital and the Department.
- k) ~~Notwithstanding the provisions of this Section, all information submitted to the Adoption Registry is confidential and gathered by the State solely for the purpose of facilitating the exchange of updated~~

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

medical data and contact information between adopted and surrendered persons and other registered parties and shall not be released under this Section. Disclosure of identifying information in violation of the Adoption Act is a Class A misdemeanor (Section 18.8 of the Adoption Act [750 ILCS 50/18.8]).

(Source: Amended by emergency rulemaking at 24 Ill. Reg. effective February 25, 2000, for a maximum of 150 days)

3885

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

Section 500.APPENDIX E Adoption Records

Section 500.ILLUSTRATION D Instructions for Adoption Registry Forms Biological Parent-Registration
EMERGENCY

{State-symbol}
STATE-OF-ILLINOIS
DEPARTMENT-OF-PUBLIC-HEALTH
Bernard-J-Turnock-M-B-7-M-P-H-7-Birector

INSTRUCTIONS FOR ADOPTION REGISTRY FORMS BIOLOGICAL-PARENT-REGISTRATION

1. Type or print all known information on the Adoption Registry forms Biological-Parent-Registration-identification-form. Enter the date, sign your present legal name, and please print or type your name below your signature.
2. If you wish to be contacted by a pertinent registered party your child, complete the Information Exchange Questionnaire/Release form and/or Medical Information Exchange Questionnaire/Release form and sign it before a judge or representative of an adoption placement agency. That person will complete the remainder of the form.
3. If you have submitted a Biological-Parent Registration Identification form but do not wish to be contacted by the respective party your biological---parent(s), complete the Denial of Exchange Questionnaire/Release form, and sign it before a judge or a representative of an adoption placement agency. That person will complete the remainder of the form.
4. Send the completed Biological-Parent Registration Identification form, applicable Information Exchange Authorizations or Denial forms, and proof of identification (driver's license, state or federal identification card, passport, or other government-issued identification card, but not a firearm owner's identification card) and-information-Exchange-Authorization-form-or-the-Denial--information-Exchange-form to:

Illinois Department of Public Health
Division of Vital Records
Adoption Registry
605 West Jefferson Street
Springfield, Illinois 62702

5. Enclose a certified check or money order for \$40 made payable to the Illinois Department of Public Health Adoption Registry. This fee is not required, however, (i) for all adopted or surrendered persons, adoptive parents, legal guardians, birth parents, and birth siblings who complete a Medical Information Exchange Questionnaire at the time of registration and authorize its release to specified registered

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF EMERGENCY AMENDMENTS

Section 500. ILLUSTRATION E Birth Biologica Parent Registration Identification
Form
EMERGENCY



Illinois Department of Public Health
BIRTH PARENT REGISTRATION IDENTIFICATION
(Enter all known information.)

I, _____ (print name) _____ (date) _____, state that I am the _____ (birth mother or birth father) _____ (date) _____ of the following child:
Child's birth name _____ (date) _____
Hour of birth _____ a m./p.m. Date of birth _____ (date)
City and state of birth _____ Sex _____
Name of hospital _____

Birth father's full name _____ (date) _____ Race _____ (date)
Date of birth _____ (date)
City and state of birth _____ (date)

Name of birth mother as shown on original birth certificate _____ (date)
Date of birth _____ (date) Race _____ (date)
City and state of birth _____ (date)
My birth child was surrendered to _____ (name of agency) _____ (city and state of agency)
Approximate date child was surrendered _____
My birth child was placed for adoption on _____
City and state _____ (date)
Names of adoptive parents (if known) _____
Other identifying information _____

Provide name(s) at birth and ages of sibling(s) having a common birth parent with surrendered person (if known) if more than one sibling, please give information requested below on reverse side of this form
Date of birth _____ (date) Sex _____ Race _____ (date)
City and state of birth _____ (date)

(date) _____ (signature of birth parent)
Illinois Department of Public Health, Division of Vital Records, 605 W. Jefferson St., Springfield, IL 62702-5697

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF EMERGENCY AMENDMENTS

parties, (ii) for adoptive parents registering within 12 months after the finalization of the adoption, (iii) for persons who were registered with the Illinois Adoption Registry before January 1, 2000 and who wish to update their registration may do so without charge, and (iv) for the withdrawal or revocation of a form.

VR-161-535-West-Jefferson-Street-Room-4507-Springfield-Illinois-62761-1217
262-4937
166-West-Randolph-Street-Suite-400-Chicago-Illinois-60601-3127317-3793

(Source: Amended by emergency rulemaking at 24 Ill. Reg. 3885, effective February 25, 2000, for a maximum of 150 days)

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF EMERGENCY AMENDMENTS

11-02-0458

BIOLOGICAL PARENT IDENTIFICATION
(Type or print all known information)

1. _____, state that I am
the _____ (mother or father) _____ of the following child:

Child's original name: (first) _____ (middle) _____ (last) _____

Hour of birth: _____ M. Date of birth: _____

City and state of birth: _____

Name of hospital: _____

Father's full name: (first) _____ (middle) _____ (last) _____

Date of birth: _____

City and state of birth: _____

Name of mother as shown on birth certificate: _____

(first) _____ (middle) _____ (last) _____

Race: _____ Date of birth: _____

That I surrendered my child to: _____

(name of agency) _____

(city and state of agency) _____

Approximate date child surrendered: _____

That I gave up my child by private adoption on: _____ (date)

City and state: _____

Names of adoptive parents (if known): _____

Other identifying information: _____

_____ (signature of parent)

_____ (printed or typed name of parent)

_____ (date)

(Source: Amended by emergency rulemaking at 24 Ill. Reg. effective February 25, 2000, for a maximum of 150 days)

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF EMERGENCY AMENDMENTS

Section 500. ILLUSTRATION F Instructions for Adoptee Registration [Repealed]
EMERGENCY

(state symbol)

STATE OF ILLINOIS

DEPARTMENT OF PUBLIC HEALTH

Bernard J. Fureck, M.D., M.P.H.

Director

INSTRUCTIONS FOR ADOPTEE REGISTRATION

Adoptee must be 21 years of age or if over 18 and under 21 must submit: (1) written consent of both adoptive parents or (2) written consent of a single adoptive parent with a certified copy of the judgment of adoption, or (3) proof of death of one adoptive parent and written consent of the surviving adoptive parent, or (4) written consent of the guardian of the adoptee with a certified copy of the order of guardianship.

1. Type or print all known information on the Adoptee Registration Identification form. Enter the date, sign your present legal name and print or type your name below your signature.

2. If you wish to be contacted by your biological parent(s), complete the Information Exchange Authorization form and sign it before a judge or a representative of an adoption placement agency. That person will complete the remainder of the form.

3. If you have submitted an Adoptee Registration Identification form but do not wish to be contacted by your biological parent(s), complete the Denial of Information Exchange form and sign it before a judge or a representative of an adoption placement agency.

4. That person will complete the remainder of the form. Send the Adoptee Registration Identification form and Information Exchange Authorization form or the Denial of Information Exchange form to:

Illinois Department of Public Health

Adoption Registry

605 West Jefferson Street

Springfield, Illinois 62702

5. Enclose a certified check or money order for \$40.00.

made payable to the Illinois Department of Public Health

VA-164-2

535 West Jefferson Street, Room 450, Springfield, Illinois 62702 (217) 421-4977

100 West Randolph Street Suite 6-600, Chicago, Illinois 60601 (312) 917-2723

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

(Source: Repealed by emergency rulemaking at 24 Ill. Reg. 3885, effective February 25, 2000, for a maximum of 150 days)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

Section 500. ILLUSTRATION G Adopted Person Adoptee Registration Identification Form
EMERGENCY



Illinois Department of Public Health

ADOPTED PERSON REGISTRATION IDENTIFICATION

(Enter all known information)

I, _____, state the following

Adoptive name	(first)	(middle)	(last)
Adopted person's birth name (if known)	(first)	(middle)	(last)
Date of birth	(first)	(middle)	(last)
Sex	Hospital (if known) _____		
City and state of birth	_____		
Name of adoptive father (if applicable)	(first)	(middle)	(last)
Name of adoptive mother (if applicable)	(first)	(middle)	(last)
I was adopted through _____	(name of agency)	(city and state of agency)	(state type "if known")
I was adopted privately _____	(name of agency)	(city and state)	(state type "if known")
I was adopted in _____	(name of agency)	(city and state)	(state type "if known")
Other identifying information	_____		

Name of birth mother (if known)	(first)	(middle)	(last)
Name of birth father (if known)	(first)	(middle)	(last)
Date of birth	(first)	(middle)	(last)
City and state of birth	(or approximate age) _____		
Name of common birth parent	(first)	(middle)	(last)

Provide names(s) at birth and ages of siblings(s) having a common birth parent with adopted person(s) adopted from one agency, please give information requested below on reverse side of this form

Name of birth mother (if known)	(first)	(middle)	(last)
Name of birth father (if known)	(first)	(middle)	(last)
Date of birth	(first)	(middle)	(last)
City and state of birth	(or approximate age) _____		
Name of common birth parent	(first)	(middle)	(last)

(signature of adopted person)

(printed or typed name of adopted person)

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF EMERGENCY AMENDMENTS

ADOPTEE REGISTRATION IDENTIFICATION
(Type or print all known information.)

I, _____, state the following:

Name after adoption: (first) (middle) (last)

Adoptee's name at birth (if known): (first) (middle) (last) Race: _____

Date of birth: (month) (day) (year) Sex: _____

City and state of birth: _____

Name of adoptive father: (first) (middle) (last) Race: _____

Maiden name of adoptive mother: (first) (middle) (last) Race: _____

Name of biological father (if known): (first) (middle) (last) Race: _____

Name of biological mother (if known): (first) (middle) (last) Race: _____

I was adopted through: _____ (name of agency)

I was adopted privately: _____ (state "yes" if known)

I was adopted in: (city and state) (approximate date)

Other identifying information: _____

(date) (signature of adoptee)

VA 161.3 (printed or typed name of adopter)

(Source: Amended by emergency rulemaking at 24 Ill. Reg. effective February 25, 2000, for a maximum of 150 days)

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF EMERGENCY AMENDMENTS

Section 500. ILLUSTRATION H Information Exchange Authorization Form
EMERGENCY



Illinois Department of Public Health
STATE OF ILLINOIS ADOPTION REGISTRY
INFORMATION EXCHANGE AUTHORIZATION

Registration identification that I am the age of _____, state that I am the person who completed the Public Health to give my (name as applicable) (birth mother) (birth father) (birth sibling) (surrendered child) the following:

(please check the information authorized for exchange)

- ☐ 1. Only my name and last known address
☐ 2. A copy of my Illinois Adoption Registry application as specified in the application
☐ 3. A copy of the original birth certificate of the adopted person

I am fully aware that I can only be supplied with any information about my (name as applicable) (birth mother) (birth father) (birth sibling) (surrendered child) if that person has duly executed an Information Exchange Authorization for the information which authorization has not been revoked; that I can be contacted by writing to _____

(print your own name, complete mailing address and telephone number)

NAME _____	TELEPHONE NUMBER _____
STREET ADDRESS _____	
CITY _____	STATE _____ ZIP CODE _____

Dated _____ (insert date)

WITNESS _____

SIGNATURE _____

STATE OF _____
COUNTY OF _____

If adoption agency representative, please state the	
Name of agency _____	
City _____	State _____ Zip Code _____

I, a Notary Public, in and for the said county, in the state aforesaid, do hereby certify that _____ personally known to me to be the same person whose name is subscribed to the foregoing Information Exchange Authorization, appeared before me in person and acknowledged that he/she signed said authorization at his/her free and voluntary act and that the statements in such authorization are true.

Given under my hand and notarial seal on _____ (insert date)

SIGNATURE OF NOTARY _____

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF EMERGENCY AMENDMENTS

Section 500. ILLUSTRATION I Denial of Information Exchange Form
EMERGENCY

INFORMATION EXCHANGE AUTHORIZATION

I, _____, state that I am the person who completed the registration identification; that I am the age of _____ years; that I hereby authorize the Department of Public Health to _____; that I can be contacted; that I am fully aware that I can only be supplied with the name and last known address of my biological parent(s) if I have given my consent to the Department of Public Health Exchange Authorization which has not been revoked; that I can be contacted by writing to: (your name or name of person to contact) _____ (your name or address) _____ (Phone No.) _____

Dated this _____ day of _____, 19____.

(Witness) _____ (signature) _____
CERTIFICATE OF ACKNOWLEDGMENT

State of _____
County of _____
(Title, name/location of court or status/position of other person)

I, _____, personally known to me to be the same person whose name is subscribed to the foregoing Information Exchange Authorization, appeared before me this day in person, acknowledged that (he/she)

(GRAPHIC STRICKEN)

I have fully explained that by signing such authorization (he/she) authorizes the Department of Public Health to give to (his/her) biological parent(s) or child identifying information to contact (his/her) and (he/she) stated that such is (his/her) intention. I have fully explained that (he/she) may revoke this authorization by filing with the Registry a Denial of Information Exchange in witness whereof, I have hereunto affixed my signature this _____ day of _____, 19____ (signature)

_____ when acknowledged before a representative of an agency, (his/her) signature shall be considered as that of the agency.

State of _____, a Notary Public, in and for the said county, in the state aforesaid, do hereby certify that the same person whose name is subscribed to the foregoing Certificate of Acknowledgement, appeared before me in person, and acknowledged that (he/she) signed such certificate in such certificate are true. I have explained to (him/her) the contents in such certificate are true.

Given under my hand and notarial seal this _____ day of _____, 19____ (signature)

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF EMERGENCY AMENDMENTS

IL 482-0439

8885 - 13

(Source: Amended by emergency rulemaking at 24 Ill. Reg. effective February 25, 2000, for a maximum of 150 days)



Illinois Department of Public Health
STATE OF ILLINOIS ADOPTION REGISTRY
DENIAL OF INFORMATION EXCHANGE

Registration identification; that I am the age of _____ state that I am the person who completed the Public Health not to give any information about me to my (or as applicable) (birth mother) (birth father) (birth sibling) (surrendered child), that I do not wish to be contacted

(Insert your own name, complete mailing address and telephone number or the same information for another person to contact. This information is for administrative purposes only and will be used to provide written confirmation that this denial has been filed.)

NAME	TELEPHONE NUMBER
STREET ADDRESS	()
CITY	STATE ZIP CODE

Dated _____ (insert date)

WITNESS _____ SIGNATURE _____

If adoption agency representative, please print title	
Name of agency	Zip Code
City	State

STATE OF _____
COUNTY OF _____

I, a Notary Public, in and for the said county, in the state aforesaid, do hereby certify that personally known to me to be the same person whose name is subscribed to the foregoing Denial of Information Exchange, appeared before me in person and acknowledged that he/she signed such authorization as his/her free and voluntary act and that the statements in such authorization are true.

Given under my hand and notarial seal on _____ (insert date)

SIGNATURE OF NOTARY _____

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

(Source: Added by emergency rulemaking at 24 Ill. Reg. 3885, effective February 25, 2000, for a maximum of 150 days)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

Section 500. ILLUSTRATION L Non-Surrendered Birth Sibling Registration Identification Form
EMERGENCY



Illinois Department of Public Health
NON-SURRENDERED BIRTH SIBLING
REGISTRATION IDENTIFICATION
(Enter all known information.)

I, (print name) _____, state the following	
Sibling's (my) birth name (if known) _____	(print name) _____
Date of birth _____	Sex _____
City and state of birth _____	Race _____
Name of birth mother _____	Race _____
Name of birth father _____	Race _____

Provide name(s) at birth and ages of siblings(s) having a common birth parent with non-surrendered birth sibling. If more than one sibling, please give information requested below on reverse side of this form.	
Date of birth _____	Sex _____
City and state of birth _____	Race _____
Name of common birth parent(s) _____	Race _____
My sibling was surrendered for adoption to _____	Date _____
City and state of agency _____	Other identifying information _____

(date)	(signature of non-surrendered birth sibling)
	(printed or typed name of non-surrendered birth sibling)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

(Source: Added by emergency rulemaking at 24 Ill. Reg. effective February 25, 2000, for a maximum of 150 days)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

Section 500. ILLUSTRATION M Adoptive Parent Registration Identification Form
EMERGENCY

Illinois Department of Public Health
ADOPTIVE PARENT REGISTRATION IDENTIFICATION

ADOPTIVE PARENT REGISTRATION IDENTIFICATION

(Enter all known information)

I, _____, state the following:

I am the _____ (last) _____ (middle) _____ (last) _____ Race _____
adoptive parent of _____ (middle) _____ (last) _____
Date of birth _____ Sex _____ Hospital (if known) _____
City and state of birth _____
Name of _____ (middle) _____ (last) _____
adoptive father _____ (last) _____
Name of _____ (middle) _____ (last) _____
adoptive mother _____ (middle) _____ (last) _____
Our/my adopted son/daughter was adopted _____ through _____
approximately (date), _____ (middle) _____ (last) _____
(name of agency) _____ (last) _____ (first) _____
Adopted privately _____ (last) _____ (first) _____ (middle) _____
state "yes" / adoptive _____ (last) _____ (first) _____ (middle) _____
state "no" / state of agency _____ (last) _____ (first) _____ (middle) _____

Adopted person's		
Surname (4-10 letters)	(surn4)	(surn10)
Name of birth mother	(modm)	(modm10)
Name of birth father	(modfa)	(modfa10)
Other identifying information	(info3)	(info10)
		Race
		Race
		Race

Provide name(s) at birth and ages of sibling(s) having a common birth parent with adopted person (if known) if more than one sibling, please give information requested below on reverse side of this form

Date of birth _____ (last) _____ (middle) _____ (first)
 City and state of birth _____ (for approximate age)
 Name of common birth parent _____ (last) _____ (middle) _____ (first) _____ (last) _____ (first)
 Race _____ Race _____

_____, signature of adoptive parent)

(printed or typed name of adoptive parent)

DEPARTMENT OF PUBLIC HEALTH

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

NOTICE OF EMERGENCY AMENDMENTS

(Source: Added by emergency rulemaking at 24 Ill. Reg. effective February 25, 2000, for a maximum of 150 days)

Section 500. ILLUSTRATION N Legal Guardian Registration Identification Form
EMERGENCY

Illinois Department of Public Health
LEGAL GUARDIAN REGISTRATION IDENTIFICATION

(Enter all known information)

I, _____ state that I am the court appointed legal guardian of an _____
(first) (middle) (last)
 adopted or _____ surrendered person under the age of 21.
 (check one) or
 (check one) adopted or _____ surrendered person over the age of 21 who requires my continuing guardianship
(first) (middle) (last)
 Adopted or surrendered person's birth name (if known) _____
(first) (middle) (last)
 Adopted or surrendered person's adoptive name (if applicable) _____
(first) (middle) (last)
 Adopted or surrendered person's current name (if different than above) _____
(first) (middle) (last)

Date of birth _____ a m / p m Sex _____
(month) (day) (year) (m) (p) (male) (female)

City and state of birth _____
 Hospital of birth _____

Name of birth mother	(1431)	(m1024)	(m1467 / 1468)	(1433)
Name of birth father (if known)	(1431)	(1431)	(m1024)	(1433)
Name of adoptive mother	(1431)	(m1024)	(m1467)	(1433)
Name of adoptive father	(1431)	(m1024)	(m1468)	(1433)

Provide name(s) at birth and ages of siblings(s) having a common birth parent with this adopted or surrendered person. If more than one sibling, please give information requested below on reverse side of this form

City and state of birth _____ (first) _____ (middle) _____ (last) _____ (date of birth or approximate age)

Race _____

Name of common birth parent _____ (first) _____ (middle) _____ (last) _____ Race _____

(Signature of legal guardian)

(printed or typed name of legal guardian)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

(Source: Added by emergency rulemaking at 24 Ill. Reg. 3885, effective February 25, 2000, for a maximum of 150 days)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

Section 500. ILLUSTRATION O Adoption Registry Application Form
EMERGENCY



Illinois Department of Public Health
ILLINOIS ADOPTION REGISTRY APPLICATION

(Enter all known information)

I am registering/registered as (check one) _____ an adult adopted or surrendered person, _____ a birth parent, _____ adoptive parent or legal guardian of an adopted or surrendered person, _____ a non-surrendered birth sibling as listed on the registration identification

Section A. REGISTRANT INFORMATION

Name _____ Today's date _____
(first) (middle) (middle/initials) (last)

Mailing address: _____
(street) (city) (state) (zip code)

Sex: _____ SSN _____ Phone: () _____ This application is (check)
(male or female) (OPTIONAL) _____ a new registration _____ a renewal of an existing registration _____ to request adoption fee medical information

Birth name of adopted or surrendered person: _____ Sex _____
(if known) (first) (middle) (last) (male or female)

Adoptive name of adopted or surrendered person: _____
(first) (middle) (last) (middle/initials) (last)

Place of birth: _____ Adoption finalized in: _____
(city) (state) (city) (state)

Name of birth mother: _____ Place of birth: _____
(first) (middle/initials) (last) (city) (state)

Name of birth father: _____ Place of birth: _____
(first) (middle/initials) (last) (city) (state)

Section B. COMPLETE WHEN OPTIONAL PHOTOGRAPHS ARE BEING FILED

Photographs are included with this registration in the manner required and may be released to the person(s) specified in my Information Exchange Authorization. These photographs do not include identifying information pertaining to any person other than me.

written signature

Section C. COMPLETE WHEN OPTIONAL WRITTEN STATEMENT IS BEING FILED

A statement is included on the form provided and may be released to the person(s) specified in my Information Exchange Authorization. The statement does not include any identifying information pertaining to any person other than me.

written signature

Section D. CHECKLIST OF ITEMS BEING SUBMITTED

☐ PART I - Check if this is an update to a prior registration.
Associated Medical Information Exchange Questionnaire that is authorized to be released to the registrant(s) specified (check one) is: ☐ being filed ☐ not being filed

☐ PART II - Check if this is a new registration. (check one)

☐ \$40 personal check or money order payable to the Illinois Department of Public Health or

☐ A completed Medical Information Exchange Questionnaire that is authorized to be released to registrant(s)

☐ Medical Information Exchange Questionnaire ☐ Photocopied proof of identification (always required)

☐ Medical Information Exchange Questionnaire ☐ \$40 fee

☐ Notarized Denial of Information Exchange ☐ \$40 fee

☐ Notarized Denial of Information Exchange ☐ \$40 fee

☐ Notarized Denial of Information Exchange ☐ \$40 fee

☐ Notarized Denial of Information Exchange ☐ \$40 fee

☐ Notarized Denial of Information Exchange ☐ \$40 fee

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☐ Notarized Denial of Information Exchange ☐ \$40 fee

☐ Notarized Denial of Information Exchange ☐ \$40 fee

☐ Notarized Denial of Information Exchange ☐ \$40 fee

THIS CHECKLIST IS IMPORTANT

Use of the checklist enables DHS to verify the items included with the registration, before releasing and enters our Registry staff to the vital statistics of the province

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

**Illinois Department of Public Health
ILLINOIS ADOPTION REGISTRY APPLICATION****Section C - Optional written statement**

This optional written statement is authorized for release as specified in Section C of the Adoption History Application. This statement is limited to the facts and circumstances surrounding the adoption of the child. It is not to be used for any other purpose. The statement is to be completed by the adoptive parent(s) and returned to the Department of Public Health. The written statement will be reviewed by registry staff to verify compliance with the law. Registry staff must remove prohibited identifying information from the statement for your convenience. Both pages may be used.

(underscored)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

**Illinois Department of Public Health
ILLINOIS ADOPTION REGISTRY APPLICATION****Section C - Optional written statement**

This optional written statement is authorized for release as specified in Section C of the Adoption History Application. This statement is limited to the facts and circumstances surrounding the adoption of the child. It is not to be used for any other purpose. The statement is to be completed by the adoptive parent(s) and returned to the Department of Public Health. The written statement will be reviewed by registry staff to verify compliance with the law. Registry staff must remove prohibited identifying information from the statement for your convenience. Both pages may be used.

(underscored)

(Source: Added by emergency rulemaking at 24 Ill. Reg. effective February 25, 2000, for a maximum of 150 days)

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF EMERGENCY AMENDMENTSDEPARTMENT OF PUBLIC HEALTH
NOTICE OF EMERGENCY AMENDMENTS

Section 500. ILLUSTRATION P Medical Information Exchange Questionnaire/ Release

Form
EMERGENCY

Illinois Department of Public Health

ILLINOIS ADOPTION REGISTRY - MEDICAL INFORMATION EXCHANGE QUESTIONNAIRE

If answering "yes" to any item, specify item number (for example, A2, B4, etc.) and indicate off in family member.

Yes No

A. CONGENITAL IMPAIRMENTS

1. Club foot or any other orthopedic problem

2. Chromosome abnormality (explain)

3. Down's syndrome

4. Tay Sachs disease

5. Muscular atrophy

6. Spina bifida

7. Congenital heart defect

8. Tay Sachs disease

9. Trisomy 21

10. Facial alcohol syndrome

11. Ambiguous genitalia

12. Macrophthalmia

13. Microcephaly

14. Microcephaly

15. Other (explain)

B. ALLERGIES

1. Eczema or other skin condition

2. Hay fever or other allergy

3. Food or drug allergy (what drugs?)

4. Other (explain)

C. EYE AND EAR DISORDERS

1. Blindness, glaucoma, color blindness or other visual problems

2. Deafness or other ear problems

3. Other (explain)

D. BLOOD AND CIRCULATORY DISORDERS

1. Sickle cell anemia or trait

2. Anemia

3. Hypertension (high blood pressure)

4. Heart attack

5. Atrial fibrillation

6. Kidney disease

7. Other (explain)

F. RESPIRATORY DISORDERS

1. Tuberculosis

2. Emphysema

3. Cystic fibrosis

4. Other (explain)

5. Other (explain)



Illinois Department of Public Health

ILLINOIS ADOPTION REGISTRY - MEDICAL INFORMATION EXCHANGE QUESTIONNAIRE

If answering "yes" to any item, specify item number (for example, A2, B4, etc.) and indicate off in family member.

Yes No

A. CONGENITAL IMPAIRMENTS

1. Club foot or any other orthopedic problem

2. Chromosome abnormality (explain)

3. Down's syndrome

4. Tay Sachs disease

5. Muscular atrophy

6. Spina bifida

7. Congenital heart defect

8. Tay Sachs disease

9. Trisomy 21

10. Facial alcohol syndrome

11. Ambiguous genitalia

12. Macrophthalmia

13. Microcephaly

14. Microcephaly

15. Other (explain)

B. ALLERGIES

1. Eczema or other skin condition

2. Hay fever or other allergy

3. Food or drug allergy (what drugs?)

4. Other (explain)

C. EYE AND EAR DISORDERS

1. Blindness, glaucoma, color blindness or other visual problems

2. Deafness or other ear problems

3. Other (explain)

D. BLOOD AND CIRCULATORY DISORDERS

1. Sickle cell anemia or trait

2. Anemia

3. Hypertension (high blood pressure)

4. Heart attack

5. Atrial fibrillation

6. Kidney disease

7. Other (explain)

F. RESPIRATORY DISORDERS

1. Tuberculosis

2. Emphysema

3. Cystic fibrosis

4. Other (explain)

5. Other (explain)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS



Illinois Department of Public Health

ILLINOIS ADOPTION REGISTRY - MEDICAL INFORMATION EXCHANGE QUESTIONNAIRE

If answering "yes" to any item, specify item number (for example, A2, B4, etc.) and indicate self or family member.

	Yes	No
E. HORMONAL DISORDERS		
1. Diabetes		
2. Thyroid disorder		
3. Other (Explain)		
G. MENTAL AND BEHAVIORAL DISORDERS		
1. Schizophrenia		
2. Bipolar disorder (bi-polar)		
3. Clinical depression		
4. Substance abuse (adopted person or birth parent)		
5. (List type and explain)		
6. Obsessive compulsive disorders		
7. Eating disorders		
8. Drug usage		
9. Autism		
10. Other (Explain)		
H. MALIGNANT DISORDERS		
1. Cancer (specify site)		
2. Tumors		
3. Hodgkin's disease		
4. Other (Explain)		
I. NERVOUS SYSTEM DISORDERS		
1. Multiple sclerosis		
2. Parkinson's disease		
3. Cerebral palsy		
4. Seizures or convulsions		
5. Epilepsy		
6. Other (Explain)		
J. INFECTIONS AND HOSPITALIZATION (Explain)		
1. Reported attack of fever with known infection		
2. Reported surgical infection requiring hospitalization		
3. Hospitalizations or operations, if any		
4. HIV/AIDS (herpes, syphilis, etc.)		
5. Other (Explain)		
K. DEVELOPMENTAL DELAYS		
1. Speech challenged		
2. Learning challenged		
3. Intellectual challenged		
4. Physically challenged		
5. Other (Explain)		
L. OTHER IMPAIRMENTS, DISEASE OR DISORDERS (metabolic, genetic or other) (including ALS (Lou Gehrig's disease), gout, obesity, etc.) (List and explain)		

DISCLAIMER: The Illinois Department of Public Health cannot guarantee the accuracy of medical information exchanged through the Adoption Registry as the information is submitted by the registrant, not the Department.

Illinois Department of Public Health, Division of Vital Records, 605 W. Jefferson St., Springfield, IL 62762-5097

(Official Seal)

(Source: Added by emergency rulemaking at 24 Ill. Reg. 3885, effective February 25, 2000, for a maximum of 150 days)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

Section 500. ILLUSTRATION Q Denial of Medical Information Exchange Release Form - EMERGENCY

Illinois Department of Public Health
STATE OF ILLINOIS ADOPTION REGISTRY
DENIAL OF MEDICAL
INFORMATION EXCHANGE RELEASE

I, _____, state that I am the person who completed the Public Health not to give any medical information about me to my (sister as applicable) (birth mother) (birth father) (birth sibling) (surrendered child) from my medical information questionnaire, that I do not wish to be contacted.

(Insert your own name, complete mailing address and telephone number or the same information for another person to contact. This information is for administrative purposes only and will be used to provide written confirmation that this denial has been filed.)

NAME	TELEPHONE NUMBER
STREET ADDRESS	
CITY	STATE
ZIP CODE	

Dated _____ (insert date)

WITNESS

SIGNATURE

If adoption agency representative, please state title	
Name of agency	
City	State
Zip Code	

STATE OF _____
COUNTY OF _____

I, a Notary Public, in and for the said county, in the state aforesaid, do hereby certify that _____ personally known to me to be the same person whose name is subscribed to the foregoing Denial of Medical Information Exchange Release, appeared before me in person and acknowledged that he/she signed such authorization as his/her free and voluntary act and that the statements in such authorization are true.

Given under my hand and notarial seal on _____

(insert date)

SIGNATURE OF NOTARY

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF EMERGENCY AMENDMENTS

(Source: Added by emergency rulemaking at 24 Ill. Reg. effective February 25, 2000, for a maximum of 150 days)

8885

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

1) Heading of the Part: Meat and Poultry Inspection Act

2) Code Citation: 8 Ill. Adm. Code 125

3) Section Numbers: Proposed Action:

125.10	Amended
125.20	Amended
125.141	Amended
125.144	New
125.170	Amended
125.180	Repealed
125.200	Amended
125.230	Amended
125.270	Amended
125.280	Amended
125.320	Amended
125.330	Repealed
125.380	Amended
125.390	Amended

4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute Which Requires this Peremptory Rulemaking: The Meat and Poultry Inspection Act [225 ILCS 650]; the Federal Meat Inspection Act (21 USCA 661); the Federal Poultry Products Inspection Act (21 USCA 454); 64 FR 56400, 64 FR 72168 and 65 FR 2283.

5) Statutory Authority: The Meat and Poultry Inspection Act [225 ILCS 650].

6) Effective Date: February 22, 2000

7) A Complete Description of the Subjects and Issues Involved: In order to maintain "equal to" status with the federal meat and poultry products inspection programs as required by the Federal Meat Inspection Act and the Poultry Products Inspection Act, and in accordance with Section 16 of the Meat and Poultry Inspection Act, the Department is adopting amendments to the Federal meat and poultry products inspection rules.

The Food Safety and Inspection Service (FSIS) is revising its regulatory requirements concerning sanitation in official meat and poultry establishments. Specifically, FSIS is consolidating the sanitation regulations into a single part applicable to both official meat and poultry establishments eliminating unnecessary differences between the sanitation requirements for meat and poultry processing, and converting many of the highly prescriptive sanitation requirements to performance standards. These amendments appear at 64 FR 56400 (effective January 25, 2000 and published in the October 20, 1999 Federal Register). Corrections to this final rule were published in the January 14, 2000 Federal Register (65 FR 2283) with an effective date of January 25, 2000.

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

In the December 23, 1999 Federal Register, FSIS is amending the federal meat and poultry products inspection regulations to harmonize and improve the efficiency of the procedure used by FSIS and the Food and Drug Administration (FDA) for reviewing and listing or approving the use of food ingredients and sources of radiation in the production of meat and poultry products. The specific federal regulations being amended are 9 CFR 310.20, 318.1, 318.7, 319.100, 319.140, 319.145, 319.180, 319.303, 319.700, 381.120, 381.145 and 381.147. These amendments appear at 64 FR 72168 (effective January 24, 2000).

Also at 64 FR 72168, FSIS is consolidating various existing regulations on food ingredients and sources of radiation into a single new part, 9 CFR 424, applicable to both meat and poultry establishments. This will include combining the separate listings of food ingredients approved for use in meat and poultry products into a single table and eliminating unnecessary differences in the lists. FSIS has not made any substantive changes in the consolidated language.

8) Does this rulemaking contain an automatic repeal date? No

9) Date Filed with the Index Department: February 22, 2000

10) A copy of the peremptory amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

11) This rule is in compliance with Section 5-50 of the Illinois Administrative Procedure Act.

12) Are there any proposed amendments pending to this Part? Yes, Section 125.380, proposed amendment, 24 Ill. Reg. 1746.

13) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local governments.

14) Information and questions regarding this adoption rule, amendment, repealer shall be directed to:

Linda Rhodes
Illinois Department of Agriculture
State Fairgrounds, P.O. Box 19281
Springfield, Illinois 62794-9281
217/785-5713
Facsimile: 217/785-4505

The full text of the Peremptory Amendments begins on the next page.

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER 1: DEPARTMENT OF AGRICULTURE
SUBCHAPTER C: MEAT AND POULTRY INSPECTION ACT

PART 125

MEAT AND POULTRY INSPECTION ACT

SUBPART A: GENERAL PROVISIONS FOR BOTH MEAT AND/OR POULTRY INSPECTION

Section
125.10 Definitions
125.10 Incorporation by Reference of Federal Rules
125.20 Application for License; Approval
125.30 Official Number
125.40 Inspections; Suspension or Revocation of License
125.50 Administrative Hearings; Appeals (Repealed)
125.60 Assignment and Authority of Program Employees
125.80 Schedule of Operations; Overtime
125.90 Official Marks of Inspection, Devices and Certificates
125.100 Records and Reports
125.110 Exemptions
125.120 Disposal of Dead Animals and Poultry
125.130 Reportable Animal and Poultry Diseases
125.140 Detention; Seizure; Condemnation
125.141 Sanitation Standard Operating Procedures (SOP's)
125.142 Hazard Analysis and Critical Control Point (HACCP) Systems
125.143 Imported Products
125.144 Preparation and Processing Operations

SUBPART B: MEAT INSPECTION

Section
125.150 Livestock and Meat Products Entering Official Establishments
125.160 Equine and Equine Products
125.170 Facilities for Inspection
125.180 Sanitation
125.190 Ante-Mortem Inspection
125.200 Post-Mortem Inspection
125.210 Disposal of Diseased or Otherwise Adulterated Carcasses and Parts
125.220 Humane Slaughter of Animals
125.230 Handling and Disposal of Condemned or Other Inedible Products at Official Establishment
125.240 Rendering or Other Disposal of Carcasses and Parts Passed for Cooking
125.250 Marking Products and Their Containers
125.260 Labeling, Marking and Containers
125.270 Entry into Official Establishment; Reinspection and Preparation of Product

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

125.280 Meat Definitions and Standards of Identity or Composition
 125.290 Transportation
 125.295 Imported Products (Repealed)
 125.300 Special Services Relating to Meat and Other Products
 125.305 Exotic Animal Inspection

SUBPART C: POULTRY INSPECTION

Section
 125.310 Application of Inspection
 125.320 Facilities for Inspection
 125.330 Sanitation
 125.340 Operating Procedures
 125.350 Ante-Mortem Inspection
 125.360 Post-Mortem Inspection; Disposition of Carcasses and Parts
 125.370 Handling and Disposal of Condemed or Inedible Products at Official Establishments
 125.380 Labeling and Containers
 125.390 Entry of Articles Into Official Establishments; Processing Inspection and Other Reinspections; Processing Requirements
 125.400 Definitions and Standards of Identity or Composition
 125.410 Transportation; Sale of Poultry or Poultry Products

AUTHORITY: Implementing and authorized by the Meat and Poultry Inspection Act [225 ILCS 650] and Section 16 of the Civil Administrative Code of Illinois [20 ILCS 5/16].

SOURCE: Adopted at 9 Ill. Reg. 1782, effective January 24, 1985; peremptory amendment at 9 Ill. Reg. 2337, effective January 28, 1985; peremptory amendment at 9 Ill. Reg. 2980, effective February 20, 1985; peremptory amendment at 9 Ill. Reg. 4856, effective April 1, 1985; peremptory amendment at 9 Ill. Reg. 9240, effective June 5, 1985; peremptory amendment at 9 Ill. Reg. 10102, effective June 13, 1985; peremptory amendment at 9 Ill. Reg. 11673, effective July 17, 1985; peremptory amendment at 9 Ill. Reg. 13748, effective August 23, 1985; peremptory amendment at 9 Ill. Reg. 15575, effective October 2, 1985; peremptory amendment at 9 Ill. Reg. 19759, effective December 5, 1985; peremptory amendment at 10 Ill. Reg. 447, effective December 23, 1985; peremptory amendment at 10 Ill. Reg. 1307, effective January 7, 1986; peremptory amendment at 10 Ill. Reg. 3318, effective January 24, 1986; peremptory amendment at 10 Ill. Reg. 3880, effective February 7, 1986; peremptory amendment at 10 Ill. Reg. 11478, effective June 25, 1986; peremptory amendment at 10 Ill. Reg. 14858, effective August 22, 1986; peremptory amendment at 10 Ill. Reg. 15305, effective September 10, 1986; peremptory amendment at 10 Ill. Reg. 16743, effective September 19, 1986; peremptory amendment at 10 Ill. Reg. 18203, effective October 15, 1986; peremptory amendment at 11 Ill. Reg. 19818, effective November 12, 1986; peremptory amendment at 11 Ill. Reg. 1696, effective January 5, 1987; peremptory amendment at 11 Ill. Reg. 2930, effective January 23, 1987; peremptory amendment at 11

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

111. Reg. 9645, effective April 29, 1987; peremptory amendment at 11 Ill. Reg. 10321, effective May 15, 1987; peremptory amendment at 11 Ill. Reg. 11184, effective June 5, 1987; peremptory amendment at 11 Ill. Reg. 14830, effective August 25, 1987; peremptory amendment at 11 Ill. Reg. 18799, effective November 3, 1987; peremptory amendment at 11 Ill. Reg. 19805, effective November 19, 1987; peremptory amendment at 12 Ill. Reg. 2154, effective January 6, 1988; amended at 12 Ill. Reg. 3417, effective January 22, 1988; peremptory amendment at 12 Ill. Reg. 4879, effective February 25, 1988; peremptory amendment at 12 Ill. Reg. 6313, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 13621, effective August 8, 1988; peremptory amendment at 12 Ill. Reg. 19116, effective November 1, 1988; peremptory amendment at 12 Ill. Reg. 20894, effective December 21, 1988; peremptory amendment at 13 Ill. Reg. 228, effective January 11, 1989; peremptory amendment at 13 Ill. Reg. 2160, effective February 13, 1989; amended at 13 Ill. Reg. 3696, effective March 13, 1989; peremptory amendment at 13 Ill. Reg. 15853, effective October 5, 1989; peremptory amendment at 13 Ill. Reg. 16836, effective October 11, 1989; peremptory amendment at 13 Ill. Reg. 17495, effective January 18, 1990; amended at 14 Ill. Reg. 4953, effective March 23, 1990; peremptory amendment at 14 Ill. Reg. 11401, effective July 6, 1990; peremptory amendment at 14 Ill. Reg. 13355, effective August 20, 1990; peremptory amendment at 14 Ill. Reg. 16064, effective September 24, 1990; peremptory amendment at 14 Ill. Reg. 21060, effective May 29, 1991; peremptory amendment at 15 Ill. Reg. 620, effective January 2, 1991; peremptory amendment withdrawn at 15 Ill. Reg. 1574, effective January 2, 1991; peremptory amendment at 15 Ill. Reg. 3117, effective September 3, 1991; peremptory amendment at 15 Ill. Reg. 8714, effective May 29, 1991; amended at 15 Ill. Reg. 8801, effective June 7, 1991; peremptory amendment at 15 Ill. Reg. 13976, effective September 20, 1991; peremptory amendment at 16 Ill. Reg. 1899, effective March 2, 1992; amended at 16 Ill. Reg. 8349, effective May 26, 1992; peremptory amendment at 16 Ill. Reg. 11687, effective July 10, 1992; peremptory amendment at 16 Ill. Reg. 11963, effective July 22, 1992; peremptory amendment at 16 Ill. Reg. 12234, effective July 24, 1992; peremptory amendment at 16 Ill. Reg. 16337, effective October 19, 1992; peremptory amendment at 16 Ill. Reg. 17165, effective October 21, 1992; peremptory amendment at 17 Ill. Reg. 2063, effective February 12, 1993; peremptory amendment at 17 Ill. Reg. 15725, effective September 7, 1993; peremptory amendment at 17 Ill. Reg. 16238, effective September 8, 1993; peremptory amendment at 17 Ill. Reg. 18215, effective October 5, 1993; peremptory amendment at 18 Ill. Reg. 304, effective December 23, 1993; peremptory amendment at 18 Ill. Reg. 2164, effective January 24, 1994; amended at 18 Ill. Reg. 4622, effective March 14, 1994; peremptory amendment at 18 Ill. Reg. 6442, effective April 18, 1994; peremptory amendment at 18 Ill. Reg. 8493, effective May 27, 1994; amended at 18 Ill. Reg. 11489, effective July 7, 1994; peremptory amendment at 18 Ill. Reg. 12546, effective July 29, 1994; peremptory amendment at 18 Ill. Reg. 14475, effective September 7, 1994; amended at 18 Ill. Reg. 14924, effective September 26, 1994; peremptory amendment at 18 Ill. Reg. 15432, effective September 27, 1994; peremptory amendment at 19 Ill. Reg. 1342, effective January 27, 1995;

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

peremptory amendment at 19 Ill. Reg. 4765, effective March 13, 1995; peremptory amendment at 19 Ill. Reg. 7067, effective May 8, 1995; peremptory amendment at 19 Ill. Reg. 14896, effective October 6, 1995; peremptory amendment at 19 Ill. Reg. 15766, effective November 10, 1995; peremptory amendment at 19 Ill. Reg. 16866, effective December 22, 1995; peremptory amendment at 20 Ill. Reg. 5091, effective March 19, 1996; peremptory amendment at 20 Ill. Reg. 10403, effective July 17, 1996; amended at 20 Ill. Reg. 11928, effective September 1, 1996; peremptory amendment at 20 Ill. Reg. 12634, effective November 13, 1996; peremptory amendment at 20 Ill. Reg. 15371, effective November 13, 1996; peremptory amendment at 21 Ill. Reg. 1221, effective January 14, 1997; peremptory amendment at 21 Ill. Reg. 1719, effective January 28, 1997; peremptory amendment at 21 Ill. Reg. 6609, effective May 20, 1997; amended at 21 Ill. Reg. 11494, effective August 1, 1997; peremptory amendment at 21 Ill. Reg. 11786, effective August 8, 1997; peremptory amendment at 21 Ill. Reg. 12886, effective August 28, 1997; peremptory amendment at 22 Ill. Reg. 3602, effective February 22, 1998; peremptory amendment at 22 Ill. Reg. 5740, effective March 5, 1998; peremptory amendment at 22 Ill. Reg. 9384, effective May 15, 1998; peremptory amendment at 22 Ill. Reg. 20645, effective November 16, 1998; amended at 23 Ill. Reg. 450, effective January 1, 1999; peremptory amendment at 23 Ill. Reg. 3851, effective March 11, 1999; peremptory amendment at 23 Ill. Reg. 10880, effective August 19, 1999; peremptory amendment at 24 Ill. Reg. 3933, effective February 22, 2000.

SUBPART A: GENERAL PROVISIONS FOR BOTH MEAT AND/OR
POULTRY INSPECTION

Section 125.10 Definitions

- a) Terms shall be as defined in 9 CFR 301.303.1(d)(2), (ii), (iii) (a), (b), (d), (e) and (f), (iv), (v) and (vi), 381.1.381.10(d)(2), (ii), (iii)(a), (b), (d), (iv), (v) and (vi), and 352.1(b) through (t) (1997); 64 FR 732, effective March 8, 1999; 64 FR 56400 and 65 FR 22831, effective January 25, 2000) unless they are otherwise defined in the Meat and Poultry Inspection Act [225 ILCS 650] or in this Section as follows:

"Act" means the Meat and Poultry Inspection Act [225 ILCS 650].

"Approved veterinarian" means any person who has graduated from a veterinary college that is recognized by the American Veterinary Medical Association.

"Birds" shall mean poultry as defined in Section 2.7 of the Act.

"Condition" means any condition, including, but not being limited to, the state of preservation, cleanliness, or soundness of any product made from rabbits or the processing, handling, or

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

packaging which may affect the wholesomeness of such product.

"Livestock" means cattle, sheep, swine, buffalo, catalo, catalo, domestic deer, domestic elk, domestic antelope, domestic reindeer, water buffalo, and goats.

"Members of the household" means those persons who occupy a single family unit.

- b) With regard to the definitions of consumer and similar type establishment, the Director has not designated any other type of establishment or institution under these terms other than those specifically stated in the incorporated language.

- c) With regard to the definitions of retail store, only those sections which are incorporated by reference as stated in Section 125.10(a) shall be included in the definition. References within the incorporated language to the section of the federal rules pertaining to operations of types traditionally and usually conducted at retail stores and restaurants refer to the operations defined in Section 5(A) of the Act. No product exempted from inspection in accordance with Section 5 of the Act shall be prepared in any retail store, restaurant or similar retail-type establishment.

- d) References in the incorporated language to 9 CFR 312 and 313 shall be interpreted as references to Sections 125.90 and 125.220 respectively. References to the Humane Methods and Slaughter Act of 1978 shall mean as set forth in Section 125.220.

(Source: Amended by peremptory rulemaking at 24 Ill. Reg. 3933, effective February 22, 2000)

Section 125.20 Incorporation by Reference of Federal Rules

- a) The federal rules that have been incorporated by reference in this Part do not include any future amendments, additions or deletions beyond the date specified.
- b) For the purpose of administering the federal rules:
- 1) References to U.S., U.S. Department of Agriculture, Animal and Plant Health Inspection Service or Food Safety and Inspection Service shall mean Illinois, Illinois Department of Agriculture, and the Bureau of Meat and Poultry Inspection, respectively.
 - 2) References to federal personnel (e.g., Secretary, Administrator, Regional Director, Area Supervisor, Circuit Supervisor, and Program Employee) shall mean the Director and State Inspection personnel as defined in Sections 2.2, 2.13 and 2.14 of the Act. References to federal inspection in the incorporations by reference shall mean State inspection.
 - 3) Terms, including but not limited to, promptly, properly, adequately, sufficiently, acceptable, abundant, ample, and

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

thoroughly are considered superfluous. Compliance with the expressed provisions of the Act and the rules of this Part will be deemed sufficient.

- 4) References to Subchapter shall mean in accordance with provisions of this Part. References to the federal Rules of Practice shall mean in accordance with the Illinois Administrative Procedure Act [5 ICs 100] and the Department's Administrative rules (8 Ill. Adm. Code 1). References within the incorporated language to other parts and sections of the Federal meat inspection or poultry inspection rules shall mean in accordance with those specific provisions as adopted in the rules of this Part. References within the incorporated language to other sections of the federal rules pertaining to equine requirements are not applicable in the Department's enforcement of the rules of this Part.

- 5) The Department has interpreted the language in the federal rules which "refers to the Administrator making decisions "in specific cases" to mean that the Director shall take action based upon the circumstances in a particular case which warrants action to be taken other than as set forth in the rules. In taking such action, the Director shall consider factors, including but not limited to, the potential public health hazard created by the violation, safety hazard to the employees of the establishment or the inspector, the time needed to correct the violation, and the time needed to recall products in order to conduct laboratory analysis. Under no circumstances shall the Department waive statutorily mandated requirements.

- c) Section 16.1 of the Meat and Poultry Inspection Act [225 ILCS 650/16.1] adopts by reference the guidelines and procedures as prepared and approved by the United States Department of Agriculture (USDA) Washington, D.C. The following documents are encompassed by that Section 16.1. The publications are effective on the date designated by the USDA and are available through the Department:

1) "Inspected-Meat-and-Poultry-Packing-Plant--A-Guide-to Construction-and-Layout--Agriculture-Handbook-576"

2) "Meat and Poultry Inspection Manual,"

3) "Sanitation-Handbook-For-Meat-and-Poultry-Inspectors,"

4) "Accepted-Meat-and-Poultry-Equipment,"

5) "List of Proprietary Substances and Nonfood Compounds,"

(Source: Amended by peremptory rulemaking at 24 Ill. Reg. 3933, effective February 22, 2000)

Section 125.90 Official Marks of Inspection, Devices and Certificates

- a) The official inspection legend which indicates the meat, poultry, buffalo, catalo, cattalo, domestic deer, domestic elk, domestic antelope, domestic reindeer, water buffalo, and/or poultry product was

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

inspected and passed shall be as prescribed in Section 2.26 of the Act.

- b) The Department incorporates by reference 9 CFR 312.2(b)(2), 312.4, 312.5, 312.6, 312.9, 381.98, 381.99, 381.100, 381.101, 381.103, and 381.108, 381.110 through 381.111 (1997; 64 FR 56400 and 65 FR 22832, effective January 25, 2000), except that the inscription on the mark of inspection shall contain the word "Illinois" rather than "U.S."

- c) The brands shall be in the forms as prescribed in Section 2.26 of the Act.

- d) The Department shall supply all Illinois Retained, Illinois Seizure, and Illinois Rejected paper tags. The Illinois Seizure tag is used in lieu of the federal detained tag.

- e) The seal referred to in 9 CFR 312.5 and 381.98 shall be padlock or metal self-locking tab as shown in the illustration for the federal rules.

- f) The only official brands, symbols, legends and devices shall be those set forth in this Section.

- g) Certificates shall be those set forth in the incorporated federal rules.

- h) Reference to federal forms FSIS 6502-2 and FSIS 6501-1 shall mean Illinois paper tags as identified in this Section and FSIS 9061-2 shall mean Illinois form IL 406-0372. A seal is used by the Department in lieu of issuing a form the equivalent of federal form FSIS 7350-1.

(Source: Amended by peremptory rulemaking at 24 Ill. Reg. 3933, effective February 22, 2000)

Section 125.141 Sanitation Standard Operating Procedures (SOP's)

The Department incorporates by reference 9 CFR 416 (1997; 62 FR 26211, effective June 12, 1997; 64 FR 56400, effective January 25, 2000). The applicability date for 9 CFR 416 will be October 1, 1997.

(Source: Amended by peremptory rulemaking at 24 Ill. Reg. 3933, effective February 22, 2000)

Section 125.144 Preparation and Processing Operations

The Department incorporates by reference 9 CFR 424 (1999; 64 FR 72168, effective January 24, 2000).

(Source: Added by peremptory rulemaking at 24 Ill. Reg. 3933, effective February 22, 2000)

Section 125.170 Facilities for Inspection

- a) The Department incorporates by reference 9 CFR 307.1, 307.2, 307.3 and

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

- 307.7 (1997), 64 FR 56400, effective January 25, 2000).
- b) The Department shall approve construction of an establishment or the remodeling of an establishment if such establishment or the remodeling is in accordance with 9 CFR 416. The inspector's office shall be approved if it is in compliance with the requirements for an inspector's office as set forth in 9 CFR 416 (9 CFR 416 is incorporated in Section 125.141) the "Sanitation Handbook for Meat and Poultry Inspection" and the "485-Inspected Meat and Poultry Packing Plant" A Guide to Construction and Layout as adopted in Section 125.20 and the provisions of this Section. The office will be considered as being in a convenient location if it is on the premises of the official establishment or located in a building adjacent to the official establishment. Small plants (as identified in 9 CFR 307.1) shall furnish an inspector's office either at the establishment or in a building adjacent to the official establishment.
- c) Facilities and equipment shall be provided by the official establishment as necessary to meet the operational needs (e.g., slaughtering facilities, processing facilities) of the establishment and the Department shall construe such facilities and equipment as being adequate, suitable or sufficient if the operational needs of the establishment can be met and inspection and sanitary conditions maintained in accordance with the rules of this Part.

(Source: Amended by peremptory rulemaking at 24 Ill. Reg. 307.7, effective February 22, 2000)

Section 125.180 Sanitation (Repealed)

- a) The Department incorporates by reference 9 CFR 308.1 through 308.16 (1997), 62 PR 26213, effective June 12, 1997, 62 PR 45816 (9 CFR 308.2 is excepted from this amendment), effective September 24, 1997.
- b) The Department shall approve construction of an establishment or the remodeling of an establishment if such establishment or the remodeling is in accordance with "485-Inspected Meat and Poultry Packing Plant" A Guide to Construction and Layout as adopted by the Department in Section 125.20.
- c) The Department will permit for use in any official establishment equipment or utensils that are on the List of Accepted Meat and Poultry Equipment as adopted in Section 125.20.
- d) The Department shall approve the reuse of water for the specific purposes mentioned in the incorporated language of 9 CFR 308.3(d)(2) or for use as nonpotable water (see 9 CFR 308.3(d)(1)). An analysis of the water potability at an official establishment shall be furnished to the inspector annually by the licensee if the water supply comes from a municipal water source or semi-annually if the water supply comes from a well or cistern. Additional water potability reports shall be required to be furnished whenever the inspector has reason to believe the water is not potable (e.g., water

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

- main break or results from laboratory tests indicate that water could be the cause of the product being adulterated.
- e) Any of the control procedures for excluding flies or vermin as stated in the Meat and Poultry Inspection Manual as adopted by the Department in Section 125.20 shall be approved for use in an official establishment.
- f) When determining if sanitation requirements are being or can be met the Department shall consider the facilities, equipment and the operations of the establishment as being sanitary if they are in compliance with the Sanitation Handbook for Meat and Poultry Inspection and the operating procedures and sanitation requirements in the Meat and Poultry Inspection Manual as adopted by the Department in Section 125.20 and the provisions of this Section.
- g) Pest control substances (e.g., insecticides or rodenticides) and disinfectants used in an official establishment shall be those products on the List of Proprietary Substances and Nonfood Compounds as adopted in Section 125.20.
- h) Shack barrels and other containers used in the shipping of meat products shall be lined with plastic or a paper of such quality that it will not readily tear when moistened from contact with the meat or meat product.
- i) Barrels, boxes and other containers used for shipping meat products shall be considered as unfit for use if they are torn, broken, have lost their original shape or are wet.
- j) Equipment, utensils, rooms or compartments which were found in violation of the sanitation requirements of this Section shall be considered as unacceptable when they are in compliance with the rules of this part.

(Source: Repealed by peremptory rulemaking at 24 Ill. Reg. 307.7, effective February 22, 2000)

Section 125.200 Post-Mortem Inspection

- a) The Department incorporates by reference 9 CFR 310.1(a) and 310.2 through 310.21, and 310.23 (1997), 64 FR 72168, effective January 23, 2000), except that the preparation of meat and meat products for nonhuman food purposes (e.g., dog food) is not permitted at an official establishment. The preparation of nonhuman food products must be done in establishments licensed under the Illinois Dead Animal Disposal Act. The Department incorporates by reference 9 CFR 310.25 (1997), 62 PR 26211, effective June 12, 1997; the E. coli control testing regulations set forth in 9 CFR 310.25(a) will be applicable on October 1, 1997, and the Salmonella pathogen reduction performance standards regulations set forth in 9 CFR 310.25(b) will be applicable simultaneously with applicability dates for implementation of HACCP in Section 125.142.
- b) The unusual circumstance and acceptable arrangements referred to in 9

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

CFR 310.1(a) shall mean in the case of emergency slaughter and in accordance with the procedure outlined in Section 125.190.

c) In the case of emergency slaughter and where a veterinarian was obtained by the owner to perform ante-mortem inspection (see Section 125.190), the veterinarian may perform post-mortem inspection of the animal. The carcass and all parts, including viscera, shall be identified as set forth in 9 CFR 310.2 and held for the inspector. If the veterinarian performs the post-mortem inspection at the request of the owner, then the cost of such service shall be borne by the owner of the animal.

d) Disinfectants that can be used in an official establishment shall be those set forth in Section 125.180.

e) With regard to the incorporated language in 9 CFR 310.2(b)(4), alternate methods proposed by the operator of an official establishment for handling devices shall be approved if such method will accomplish the specific provisions as stated in the paragraph.

f) Retained carcasses may be washed or trimmed provided such washing or trimming does not affect the disposition of the carcasses by removing conditions or lesions which caused the carcasses to be identified as retained.

g) Temporary identification of retained carcasses by an official establishment shall be permitted; however, Illinois Retained tags shall be used to identify the carcasses along with any temporary identification that is used.

h) References in the incorporated language to 9 CFR 314 shall be interpreted to mean in accordance with Section 125.230.

i) Facilities for handling and inspecting cow udders shall be as set forth in 9 CFR 416 (incorporated in Section 125.141).

Meat-and-Poultry-Packing-Plants--A-Guide-to-Construction--and-Layout-as-adopted-in-Section-125-240

(Source: Amended by peremptory rulemaking at 24 Ill. Reg.

effective February 22, 2000)

Section 125.230 Handling and Disposal of Condemned or Other Inedible Products at Official Establishment

a) Condemned and inedible products shall be disposed of by persons licensed in accordance with the Illinois Dead Animal Disposal Act (see Section 125.120). If the official establishment has no facilities for tanking the condemned carcasses or meat products or if the inspector cannot leave the slaughter area, the condemned meat or meat products shall be denatured as set forth in 9 CFR 314.3 (1997) before they leave the official establishment.

b) The Department incorporates by reference 9 CFR 314.2, 314.7, and 314.9 through 314.11 (1997); 64 FR 56400, effective January 25, 2000).

c) The Department does not permit animals that have died other than by slaughter in accordance with the custom slaughter exemption in Section

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

5 of the Act to be brought on the premises of the official establishment, except for animals which have died en route. Animals that have died en route to the official establishment shall be disposed of by licensed renderers (see Section 125.120).

d) Pipes and chutes shall be installed in accordance with the provisions of Section 125.180.

e) Proprietary material shall be as set forth in the "List of Proprietary Substances and Nonfood Compounds" as adopted in Section 125.20.

f) "Denaturing of carcasses to the extent necessary to preclude its use for food purposes" shall mean that one of the denaturing methods in 9 CFR 325.13 as adopted in Section 125.290 must be used.

g) Carcasses or parts of carcasses condemned on account of anthrax shall be disposed of in accordance with the provisions of Section 125.120.

h) Specimens of condemned or other inedible products shall be released if compliance with the specific provisions of 9 CFR 314.9 is met. An example of an objectionable condition would be in the case of a sanitary problem.

i) The movement of livers and condemned products from an official establishment will be permitted in accordance with the provisions of Section 125.120.

j) Reference to Federal form FSIS 6700-2 shall mean Illinois form MI-10. References in the incorporated language to other sections within 9 CFR 314 that have not been adopted shall be interpreted to mean in accordance with the provisions of this Section. References to 9 CFR 325 shall be interpreted to mean in accordance with Section 125.290.

(Source: Amended by peremptory rulemaking at 24 Ill. Reg. effective February 22, 2000)

Section 125.270 Entry into Official Establishment; Reinspection and Preparation of Product

a) The Department incorporates by reference 9 CFR 318.1(c) through 318.6 through 318.9 through 318.10, 318.14 through 318.20, 318.22, 318.23, 318.24, 318.300 through 318.311 (1997); 61 FR 58780, effective January 21, 1997; 62 FR 27940, effective July 21, 1997; 62 FR 33744, effective August 22, 1997; 62 FR 45016, effective September 24, 1997; 62 FR 43631, effective October 14, 1997; 62 FR 61619, effective January 20, 1998; 64 FR 732, effective March 8, 1999; 64 FR 27901, effective July 23, 1999; 64 FR 72168, effective January 24, 2000).

b) No meat or meat product shall be brought into an official establishment unless it is inspected or has been prepared in an official establishment or in a federally licensed establishment and is identified by an official inspection legend as set forth in Section 125.90, a Federal inspection legend, or is exempt from inspection as stated in Section 125.110. Meat and meat products received in an official establishment during the absence of the inspector shall be identified as set forth in Section 125.200 and, unless exempt from

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

inspection, shall not be used or prepared until they have been reinspected. Any meat and meat product originally prepared at any official establishment may not be returned to any part of such establishment other than the receiving area until it has been reinspected by the inspector and passed. Wild game carcasses shall comply with Section 5(B)(4) of the Act. The official establishment shall maintain an inventory of non-meat items (e.g., spices, preservatives) which are received at the official establishment. Any product that is brought on the premises of an official establishment contrary to the provisions of this Section shall be removed immediately from such establishment by the operator of the establishment.

- c) Reinspections of meat and/or meat products within the official establishment shall be performed through the use of a random digit table.
- d) Docks and receiving rooms for meat and/or meat products or other articles used by the establishment in the preparation of meat products entering an official establishment shall be approved by the inspector if the location of such docks or receiving rooms will not permit such product or article to pass through rooms containing inspected and passed products.
- e) The manner of defrosting frozen products and methods of treating to preserve products shall be in accordance with procedures as set forth in the "Meat and Poultry Inspection Manual" as adopted in Section 125.20.
- f) Casings or weasand shall be inspected and passed if it is in compliance with the specific provisions as stated in 9 CFR 318.5(i) for passage of such articles.
- g) The Department does not approve new substances to be used on meat or in meat products, their uses or the levels of use of an approved substance. Such substances will be permitted to be used and artificial flavorings may be used if they do not adulterate the meat and/or meat product in accordance with Section 2.11 of the Act and are in compliance with the provisions of this Section.
- h) References to exemptions from slaughter and custom slaughter shall mean those exemptions set forth in Section 125.110.
- i) References within the incorporated language to the federal Poultry Inspection Act, Section 403 of the Act, Section 7 of the Act, 9 CFR 303, and paragraph 23(a) of the Act shall be interpreted to mean in accordance with the Meat and Poultry Inspection Act and the rules of this Part.
- j) The Department does not approve thermometers for use in smokehouses, dry rooms and other compartments that are used in the treatment of pork.
- k) Disinfectants shall be those as set forth in Section 125.180.
- l) Adequate vacuum shall be determined through the use of vacuum gauges.
- m) Canned products which may be processed without steampressure cooking shall be those products as stated in the "Meat and Poultry Inspection

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

Manual" as adopted by the Department in Section 125.20.

- n) The inspector shall permit lots of canned product to be shipped from the official establishment prior to the completion of the incubation period on the representative samples in accordance with the specific provisions in 9 CFR 318.309.

- o) The standards and procedures for determining when ingredients of finished products are in compliance with this Section shall be as set forth in the "Meat and Poultry Inspection Manual" as adopted by the Department in Section 125.20.

(Source: Amended by peremptory rulemaking at 24 Ill. Reg. 3855, effective February 22, 2000)

Section 125.280 Meat Definitions and Standards of Identity or Composition

The Department incorporates by reference 9 CFR 319 (1997; 62 FR 45016, effective September 24, 1997; 63 FR 147, effective March 6, 1998; 64 FR 27901, effective July 23, 1999; 64 FR 72168, effective January 24, 2000). Methods for the destruction of live trichinae in pork shall be as set forth in Section 125.270 (specifically the incorporated language of 9 CFR 318.10(c)).

(Source: Amended by peremptory rulemaking at 24 Ill. Reg. 3853, effective February 22, 2000)

SUBPART C: POULTRY INSPECTION

Section 125.320 Facilities for Inspection

- a) The Department incorporates by reference 9 CFR 381.36 (1997; 64 FR 56400, effective January 25, 2000).

- b) The Department shall approve the construction of an establishment or the remodeling of an establishment if such establishment or the remodeling is in compliance with 9 CFR 416. The inspector's office shall be approved if it is in compliance with the requirements for an inspector's office as set forth in 9 CFR 416 (9 CFR 416 is incorporated in Section 125.141). The "Sanitation Handbook--for--Meat and--Poultry--Inspection" as adopted in Section--125.28--and--the provisions--of--this--Section. The office will be considered as being in a convenient location if it is on the premises of the official establishment or located in a building adjacent to the official establishment. Small plants (as identified in 9 CFR 381.36) which do slaughtering shall furnish an inspector's office either at the establishment or in a building adjacent to the official establishment.

(Source: Amended by peremptory rulemaking at 24 Ill. Reg. 3854, effective February 22, 2000)

Section 125.330 Sanitation (Repealed)

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

- a) The Department incorporates by reference 9 CFR 301.45 through 301.59, and 301.61 (1997) 62 FR 45016 effective September 24, 1997.
- b) The Department shall approve the construction of an establishment or the remodeling of an establishment if such establishment or remodeling is in compliance with 49 FR 58 Inspected Meat and Poultry Packing Plant: A Guide to Construction and Layout as adopted by the Department in Section 125.20 and the provisions of this Section.
- c) The Department will permit for use in any official establishment equipment or utensils that are on the list of Accepted Meat and Poultry Equipment as adopted by the Department in Section 125.20.
- d) When determining if sanitation requirements are being or can be met, the Department shall consider the facilities, equipment and the operations of the establishment as being sanitary if they are in compliance with the Sanitation Handbook for Meat and Poultry Inspection and the sanitation requirements and operating procedures as stated in the Meat and Poultry Inspection Manual as adopted by the Department in Section 125.20 and the provisions of this Section.
- e) An analysis of the water potability at an official establishment shall be furnished to the inspector annually by the licensee if the water supply comes from a municipal water source or semi-annually if the water comes from a well or cistern. Additional water potability reports shall be required to be furnished whenever the inspector has reason to believe the water is not potable (e.g., water main break or results from laboratory tests indicate that water could be the cause of the product being adulterated).
- f) The Department does not have any approved methods for recining wax and will accept any method which does not cause adulteration of the poultry or poultry products.
- g) Any receptacle used for holding condemned carcasses shall be equipped for locking and sealing.
- h) It is the Department's policy that equipment and utensils used in an official establishment shall not be used outside the official establishment.
- i) Any of the control procedures for excluding flies or vermin as stated in the Meat and Poultry Inspection Manual as adopted by the Department in Section 125.20 shall be approved for use in an official establishment.
- j) Germicides, insecticides, rodenticides, detergents, wetting agents and other compounds which are used in an official establishment shall be approved for use if they are on the list of Proprietary Substances and Nonfood Compounds as adopted by the Department in Section 125.20. The manner in which such compounds are used shall be in accordance with the manufacturer's label.

(Source: Repealed by peremptory rulemaking at 24 Ill. Reg. 3953, effective February 22, 2000)

Section 125.380 Labeling and Containers

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

- a) The Department incorporates by reference 381.115 through 381.127, 381.129 through 381.132(f), 381.134 through 381.140, 381.144(a) through 381.144(d), 381.400, 381.402, 381.408, 381.409, 381.412, 381.413, 381.443, 381.444, 381.445, 381.454, 381.456, 381.460, 381.461, 381.462, 381.463, 381.469, 381.480, 381.500 (1997) 62 FR 45016, effective September 24, 1997; 63 FR 7279, effective February 13, 1998; 63 FR 11359, effective May 8, 1998; 64 FR 732, effective March 8, 1999; 64 FR 72168, effective January 24, 2000.
- b) Each shipping container and each immediate container containing inspected and passed poultry and/or poultry products shall be identified in accordance with the labeling provisions of this Section.
- c) Immediate containers of poultry products packed in, bearing or containing any chemical additive shall bear a label naming the additive and the purpose of its use.
- d) Labels for consumer packages shall be approved if the label is not misbranded in accordance with Section 2.20 of the Act and is in compliance with this Section.
- e) The specific statements listed in 9 CFR 381.121 may be added to the label for the shipping container at the option of the licensee.
- f) The quantity of contents as shown on the label shall be in compliance with the Weights and Measures Act and the rules adopted thereto (8 Ill. Adm. Code 600).
- g) No labeling or containers that have not been approved shall be used until a final decision is rendered at an administrative hearing in accordance with Section 19 of the Act.
- h) The Department shall approve the manufacture of a device or label containing an official mark of inspection provided the device or label is in compliance with Section 125.90.
- i) Labeling and sketch labeling shall be approved by the Department if the label is in compliance with the provisions of this Section and the label is not misbranded in accordance with Section 2.20 of the Act. All labels and sketch labels shall be submitted to the Springfield office of the Department for approval.
- j) The Department shall approve temporary labeling as stated in 9 CFR 381.132(f). Labeling which has received temporary approval shall not be used beyond the temporary approval period unless the printer or manufacturer of the label is unable to provide the official establishment with the permanent labels before the expiration of the temporary approval.
- k) A copy of each label submitted for approval shall be accompanied by a statement showing the common or usual names, the kinds and percentages of the ingredients comprising the poultry product and a statement indicating the method or preparation of the product with respect to which the label is to be used. Laboratories used for chemical analysis shall be any approved laboratory as defined in 8 Ill. Adm. Code 20.1.
- l) The Department does not approve terms for generic labeling and considers the approval of terms as generic to be the responsibility of

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

- the federal government.
- m) The Department does not issue a list of approved packaging materials and will permit for use any packaging material which has been approved by the U.S. Department of Agriculture (see 9 CFR 317.24 (1997)).
- n) Labels and devices approved for use pursuant to Section 125.90 and this Section shall be disposed of only when such labels or devices have been mutilated or damaged or when the establishment ceases to do business. Such labels and devices shall be given to the inspector for disposition.
- o) The inspector shall grant authorization to transport labels, wrappers and containers bearing official marks from one official establishment to another official establishment provided the official establishment provides to the inspector the information required in 9 CFR 381.138 so that the inspector can notify the inspector at the destination point.
- p) Labels to be used for the relabeling of inspected and passed product shall be permitted to leave the official establishment when the product must be relabeled because the original labels have become mutilated or damaged. The official establishment shall reimburse the Department for any overtime costs, if applicable, involved for the inspector to supervise the relabeling of a product. The overtime charges shall be as set forth in Section 125.80.
- q) Labeling of custom slaughtered and/or custom processed poultry and/or poultry products and the containers containing custom slaughtered and/or custom processed poultry products shall be as set forth in Section 5 of the Act.
- r) The Department shall approve only those abbreviations for marks of inspection as specifically stated in Section 2.26(j)(3), (4), (5) and (9) of the Act.

(Source: Amended by peremptory rulemaking at 24 Ill. Reg. 3933, effective February 22, 2000)

Section 125.390 Entry of Articles Into Official Establishments; Processing Inspection and Other Reinspections; Processing Requirements

- a) The Department incorporates by reference 9 CFR 381.145(b) through 381.146, 381.148, 381.149, 381.150 through 381.151, 381.200, 381.300 through 381.311 (1997); 62 FR 33744, effective August 22, 1997; 62 FR 45016, effective September 24, 1997; 64 FR 732, effective March 8, 1999; 64 FR 72168, effective January 24, 2000.
- b) No poultry or poultry product shall be brought into an official establishment unless it is inspected or has been prepared in an official establishment or in a federally licensed establishment and is identified by an official inspection legend as set forth in Section 125.90, the federal inspection legend, or is exempt from inspection as stated in Section 125.110. However, poultry or poultry products imported into the United States may be transported to an inspection site in accordance with the provisions of 9 CFR 381.200 for

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

reinspection.

- c) Poultry and poultry products received in an official establishment during the absence of the inspector shall be identified as set forth in Section 125.360 and, unless exempt from inspection, shall not be used or prepared until they have been reinspected. Any poultry and/or poultry product originally prepared at any official establishment may not be returned to any part of such establishment other than the receiving area until it has been reinspected and passed by the inspector.
- d) The official establishment shall maintain an inventory of non-poultry items (e.g., spices, preservatives) which are received at the official establishment. Any product that is brought on the premises of an official establishment contrary to the provisions of this Section shall be removed immediately from such establishment by the operator of the establishment.
- e) Reinspections of poultry and/or poultry products within the official establishment shall be performed through the use of a random digit table.
- f) Poultry feet shall be approved for processing for human food in accordance with the procedures set forth in the "Meat and Poultry Inspection Manual" as adopted by the Department in Section 125.20.
- g) The Department does not approve new substances to be used on poultry or in poultry products, their uses or the levels of use of an approved substance. Such substances will be permitted to be used if they will not adulterate the poultry and/or poultry product in accordance with Section 2.11 of the Act and are in compliance with the provisions of this Section.
- h) Ready-to-heat-and-eat poultry or stuffed ready-to-roast poultry may be moved from an official establishment prior to freezing in accordance with the provisions of Section 125.330 (specifically the incorporated language in 9 CFR 381.66(f)(3)).
- i) Any method of cleaning immediate containers used for the holding of poultry and poultry products shall be approved if such method is in compliance with the sanitation requirements (see Section 125.330).
- j) Canned poultry products which may be processed without steam-pressure cooking shall be those products as stated in the "Meat and Poultry Inspection Manual" as adopted by the Department in Section 125.20.
- k) The inspector shall permit lots of canned poultry products to be shipped from the official establishment prior to the completion of the incubation period on 9 CFR 381.309.
- l) Specific provisions in 9 CFR 381.309.
- 1) Disinfectants which may be used in an official establishment shall be those products on the "List of Proprietary Substances and Nonfood Compounds" as adopted by the Department in Section 125.20.

(Source: Amended by peremptory rulemaking at 24 Ill. Reg. 3933, effective February 22, 2000)

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